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ARGENTINA PROJECT (S200000044)

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SUBJECT: 1982 HUMAN RIGHTS REPORT - FINAL VERSION

1. FOLLOWING IS THE FINAL VERSION OF THE 1982 HUMAN RIGHTS REPORT FOR ARGENTINA. HUMAN RIGHTS REPORTS ARE STILL EMBARGOED, HENCE POST IS REQUESTED NOT TO RELEASE REPORT PENDING NOTIFICATION BY DEPARTMENT.

2. THE ARGENTINE ARMED FORCES HAVE HELD POWER SINCE 1976. THE MILITARY GOVERNMENT INSTITUTED MAJOR CHANGES. HOWEVER, IN 1982, EASING RESTRAINTS ON POLITICAL AND CIVIL LIBERTIES AND COMMITTING ITSELF TO ELECTIONS BY NOT LATER THAN NOVEMBER 1983, WITH THE RESTORATION OF A CONSTITUTIONAL GOVERNMENT SET FOR NOT LATER THAN MARCH 1984. THESE CHANGES OCCURRED IN THE WAKE OF SEVERE AND GROWING ECONOMIC PROBLEMS AND ARGENTINA'S DEFEAT IN THE FALKLANDS/MALVINAS CONFLICT. THEY FOLLOWED SIX YEARS OF MILITARY RULE, CHARACTERIZED BY THE USE OF HARSH MEASURES TO END TERRORISM AND CURB POLITICAL DISSENT, SEVERE LIMITATIONS ON POLITICAL ACTIVITY, AND THE FREQUENT LACK OF PROTECTION OF INDIVIDUAL RIGHTS. DURING THAT TIME, THE GOVERNMENT WAS UNABLE TO ESTABLISH A SOLID BASIS FOR UNCLASSIFIED

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ECONOMIC GROWTH OR A BASIC POLITICAL RESTRUCTURING.

3. IN JUNE 1982, PRESIDENT GALTIERI WAS REPLACED BY GENERAL (RET.) REYNALDO BIGNONE. THE NEW ADMINISTRATION LIFTED THE FORMAL BAN ON POLITICAL ACTIVITY ON JULY 1 AND

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IN AUGUST PROMULGATED A POLITICAL PARTIES LAW WHICH REQUIRED NEW REGISTRATION OF PARTY MEMBERS TO BE FOLLOWED BY INTERNAL PARTY ELECTIONS IN PREPARATION FOR THE NATIONAL ELECTIONS. TRADE UNIONS, WHILE CIRCUMSCRIBED BY GOVERNMENT INTERVENTION DATING FROM 1976, HAVE BEEN FREE TO FUNCTION IN MANY CASES AS THOUGH THERE WERE NO CONTROLS. LATE 1982 WITNESSED AN UPSURGE IN POLITICAL AND LABOR ACTIVITY. POLITICAL PARTIES (INCLUDING THE COMMUNISTS) STAGED LARGE RALLIES, HUMAN RIGHTS GROUPS HELD DEMONSTRATIONS, AND LABOR ORGANIZED A SUCCESSFUL NATIONAL STRIKE. AT LEAST 100,000 PEOPLE, ORGANIZED BY POLITICAL, UNION, AND HUMAN RIGHTS GROUPS, TOOK PART IN A "MARCH FOR DEMOCRACY" IN DOWNTOWN BUENOS AIRES IN MID-DECEMBER. THE OVERALL RESULT HAS BEEN A MAJOR CHANGE IN THE EXERCISE OF POLITICAL RIGHTS DURING THE SECOND HALF OF 1982.

4. THE PRESS ALSO HAS BEEN LESS INHIBITED IN 1982 THAN AT ANY TIME SINCE THE EARLY 1970S. CRITICISM OF GOVERNMENT POLICIES AND PROGRAMS BECAME A MATTER OF COURSE. FOUR SMALL PUBLICATIONS WERE CLOSED BRIEFLY LATE IN THE YEAR, BUT OVERALL FREEDOM TO DISCUSS SENSITIVE POLITICAL AND SOCIAL QUESTIONS EXPANDED MARKEDLY. IN THE ELECTRONIC MEDIA, SENSITIVE SUBJECTS HAVE BEEN OPENLY TREATED ON RADIO, BUT LESS SO ON STATE-OWNED TELEVISION.

5. THE JUDICIAL SYSTEM DISPLAYED GREATER INDEPENDENCE IN UNCLASSIFIED

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1982. THE SUPREME COURT OVERTURNED A MILITARY COURT RULING FOR THE FIRST TIME. LOWER COURTS HAVE BEEN INCREASINGLY RECEPTIVE TO HABEAS CORPUS PETITIONS FILED ON BEHALF OF PRISONERS HELD UNDER STATE OF SIEGE POWERS. THE COURTS RULED IN FAVOR OF THREE OF THE PERIODICALS CLOSED BY THE AUTHORITIES. PRISON CONDITIONS CONTINUED TO DRAW CRITICISM FROM INMATES AND THEIR FAMILIES. HOWEVER, EARLIER REFORMS WERE REINFORCED; COURTS HAVE HEARD PRISONER-ABUSE CASES AND PUNISHED GUARDS FOUND GUILTY.

6. DESPITE THE SIGNIFICANT EXPANSION OF CIVIL AND POLITICAL LIBERTIES, INCIDENTS OF VIOLENCE OCCURRED IN 1982 WHICH MANY BELIEVED TO HAVE BEEN PROVOKED BY ELEMENTS LINKED TO THE STATE SECURITY ORGANIZATIONS BUT OPERATING WITHOUT THE SANCTION OF THE GOVERNMENT. THESE UNCONTROLLED ELEMENTS WERE WIDELY HELD RESPONSIBLE FOR

HARASSMENT AND THREATS AGAINST HUMAN RIGHTS ACTIVISTS AND FOREIGN AND ARGENTINE JOURNALISTS, FOR THE ABDUCTION OF SEVERAL PEOPLE WHO LATER REAPPEARED, AND FOR TWO MURDERS. SOME OBSERVERS INTERPRETED THESE EFFORTS AS ATTEMPTS BY DISSIDENTS WITHIN, OR ASSOCIATED WITH, THE SECURITY FORCES TO UNDERMINE THE GOVERNMENT'S MOVEMENT TOWARD CONSTITUTIONAL AND CIVILIAN RULE.

7. THERE WERE NO REPORTED DISAPPEARANCES IN 1982. HUMAN RIGHTS GROUPS AND SOME POLITICAL PARTIES HAVE CONCENTRATED ON EFFORTS TO FORCE AN ACCOUNTING FOR PAST DISAPPEARANCES WHICH NUMBERED IN THE THOUSANDS, INCLUDING APPROPRIATE PUNISHMENT OF THOSE RESPONSIBLE. THESE EFFORTS GAINED IMPETUS WHEN THE PRESS REPORTED THAT UNMARKED GRAVESITES CONTAINED THE BODIES OF PERSONS WHO DISAPPEARED DURING THE MID-TO-LATE 1970S. GIVEN THE WIDESPREAD BELIEF THAT MANY OF THE DISAPPEARED WERE KILLED WITH THE COMPLICITY OF OFFICIAL SECURITY

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PERSONNEL, THIS ISSUE IS A HIGHLY SENSITIVE AND IMPORTANT ONE FOR THE RETURN TO DEMOCRATIC GOVERNMENT. THE GOVERNMENT INITIATED EFFORTS TO TRY TO REACH AN UNDERSTANDING WITH FUTURE CIVILIAN LEADERS ON THIS ISSUE PRIOR TO THE DEPARTURE OF THE MILITARY GOVERNMENT. BY LATE 1982, THE GOVERNMENT IS BELIEVED PRIVATELY TO HAVE PROVIDED INFORMATION TO FAMILY MEMBERS REGARDING DEATHS AND BURIAL SITES IN APPROXIMATELY ONE FIFTH OF THE CASES OF PERSONS WHOSE DISAPPEARANCE WAS REPORTED TO THE GOVERNMENT BETWEEN 1974 AND 1982.

3. THE GOVERNMENT ACCELERATED RELEASES OF STATE OF SIEGE POLITICAL PRISONERS, HELD UNDER SPECIAL STATE OF SIEGE POWERS, FREEING APPROXIMATELY 425 IN 1982. THE NUMBER OF SUCH PRISONERS WAS REDUCED TO 243 AT THE END OF THE YEAR.

9. ARGENTINE HUMAN RIGHTS ORGANIZATIONS HAVE EXPERIENCED GREATER FREEDOM OF ACTION, PARTICULARLY SINCE THE INAUGURATION OF THE BIGNONE ADMINISTRATION. IN AN IMPRESSIVE SHOWING, ABOUT 10,000 PEOPLE MARCHED IN DOWNTOWN BUENOS AIRES IN OCTOBER 1982 AND THEN A MUCH LARGER MARCH TOOK PLACE IN DECEMBER. THE RELAXATION OF RESTRICTIONS ON CIVIL AND POLITICAL LIBERTIES HAS PERMITTED GREATER PRESS ATTENTION TO THE ACTIVITIES OF HUMAN RIGHTS GROUPS AND ENCOURAGED PROMINENT ARGENTINE FIGURES TO LEND THEIR SUPPORT. URGED ON BY HUMANITARIAN GROUPS, MANY POLITICAL LEADERS HAVE ENDORSED OBJECTIVES

OF THE HUMAN RIGHTS MOVEMENT.

10. THE ARGENTINE GOVERNMENT HAS ADOPTED VARYING ECONOMIC POLICIES SINCE 1976 BUT THE MAJOR THRUST HAS

BEEN TOWARD GREATER RELIANCE ON THE FREE MARKET, ALBEIT UNCLASSIFIED

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WITHIN A CONTEXT OF EXTENSIVE EXISTING STATE CONTROLS. ARGENTINA WAS BESET BY A NUMBER OF SEVERE ECONOMIC PROBLEMS IN 1982 INCLUDING HIGH LEVELS OF INFLATION, A DEEPENING RECESSION, WHICH REDUCED REAL WAGES, AND INCREASED UNEMPLOYMENT.

11.
1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING FREEDOM FROM:

A. KILLING

THE TWO REPORTED KILLINGS FOR APPARENT POLITICAL MOTIVES WERE THOSE OF ANA MARIA MARTINEZ, SAID TO BE ACTIVE IN THE TROTSKYITE SOCIALIST WORKERS PARTY, AND MARCELO DUPONT, WHOSE BROTHER CLAIMS HE HAS EVIDENCE IN A CASE OF MURDER THAT OCCURRED IN 1978. NEITHER CASE HAS BEEN RESOLVED. MANY OBSERVERS BELIEVE THAT THESE TWO MURDERS MAY HAVE BEEN PERPETRATED BY INDIVIDUALS WITH LINKS TO THE POLICE OR MILITARY OPERATING OUTSIDE THE CONTROL OF THE GOVERNMENT. THE GOVERNMENT HAS PROMISED THOROUGH INVESTIGATIONS.

12. B. DISAPPEARANCE

THERE WAS NO EVIDENCE OF DISAPPEARANCES IN 1982. VARIOUS HUMAN RIGHTS ORGANIZATIONS HAVE REPORTED SOME PERSONS AS DISAPPEARED. IN ALL TWELVE INSTANCES CITED, PERSONS ABDUCTED, DETAINED, OR TEMPORARILY MISSING RETURNED HOME OR WERE RELEASED WITHIN SEVERAL DAYS OF THEIR INITIAL ABSENCE, WITH THE EXCEPTION OF ONE INDIVIDUAL WHO REMAINS IN ACKNOWLEDGED DETENTION ON CRIMINAL CHARGES. ACCORDING TO HUMAN RIGHTS ORGANIZATIONS, SOME ABDUCTORS REPORTEDLY TOLD THEIR VICTIMS THAT THEY REPRESENTED A STATE AUTHORITY, FROM WHICH THE HUMAN RIGHTS ORGANIZATIONS INFERRED OFFICIAL COMPLICITY. THE GOVERNMENT DISCLAIMED

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RESPONSIBILITY FOR THE ABDUCTIONS.

13. DEMANDS THAT THE AUTHORITIES ACCOUNT FOR THE LARGE NUMBER OF PEOPLE WHO DISAPPEARED IN THE PAST BECAME A MAJOR NATIONAL ISSUE IN 1982. CONSIDERABLE DISAGREEMENT REMAINS AS TO HOW MANY PERSONS DISAPPEARED. THE MOST CAREFULLY DOCUMENTED LIST, COMPILED BY THE ARGENTINE PERMANENT ASSEMBLY FOR HUMAN RIGHTS, CONTAINS APPROXIMATELY 6,000 NAMES. OTHER ESTIMATES ARE MUCH HIGHER. IT IS GENERALLY BELIEVED THAT MOST OF THOSE WHO

DISAPPEARED OVER THE YEARS ARE DEAD, MANY AS A RESULT OF ACTIONS BY SECURITY FORCES BUT ALSO SOME AT THE HANDS OF TERRORIST GROUPS.

14. IN LATE 1982, THE PRESS, POLITICAL PARTIES, AND HUMAN RIGHTS ORGANIZATIONS JOINED IN DEMANDING INVESTIGATIONS OF UNMARKED GRAVES RECENTLY IDENTIFIED AND THOUGHT TO CONTAIN THE BODIES OF SOME OF THE DISAPPEARED AND CALLING FOR LEGAL ACTION AGAINST THOSE RESPONSIBLE. SEVERAL FOREIGN GOVERNMENTS ALSO RENEWED ACTIVE EFFORTS IN LATE 1982 TO SEEK AN ACCOUNTING OF THEIR NATIONALS OR DESCENDANTS REPORTED AS DISAPPEARED. THE ARGENTINE GOVERNMENT HAS RECEIVED APPROXIMATELY 6,600 REQUESTS FOR INFORMATION ON THE WHEREABOUTS OF DISAPPEARED PERSONS AND IS BELIEVED TO HAVE PROVIDED INFORMATION TO FAMILY MEMBERS ON THE DEATHS AND IN SOME INSTANCES THE LOCATION OF THE REMAINS OF THE DISAPPEARED IN ABOUT 1,450 CASES. ON SEPTEMBER 29 THE MINISTER OF INTERIOR PUBLICLY SAID THE GOVERNMENT WILL CONTINUE TO COLLECT INFORMATION ABOUT DISAPPEARANCE CASES AND PROVIDE IT TO RELATIVES.

15. C TORTURE
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THE ARGENTINE CONSTITUTION PROHIBITS THE USE OF TORTURE, BUT ITS USE HAS BEEN NOTED IN BOTH HUMAN RIGHTS AND COMMON CRIMINAL CASES. THE COURTS HAVE SOUGHT TO CURB ITS USE. MOST OF THE PERSONS REPORTED AS TEMPORARILY MISSING IN 1982 CLAIMED TO HAVE BEEN SUBJECTED TO TORTURE BY ELECTRIC SHOCK OR THE PLACEMENT OF PLASTIC BAGS OVER THEIR HEADS CAUSING SUFFOCATION. IN MARCH, THE BUENOS AIRES LAWYERS' ASSOCIATION DENOUNCED WHAT IT REFERRED TO AS THE CONTINUING, SYSTEMATIC USE OF TORTURE BY SECURITY OFFICIALS. THE LAWYERS' ASSOCIATION OF SALTA PROVINCE AT MID-YEAR CHARGED THAT INMATES AT THE LOCAL PENITENTIARY WERE TORTURED AND BRUTALIZED REGULARLY BY GUARDS. IN

OCTOBER, FOUR POLICEMEN WERE ARRESTED BY JUDICIAL ORDER ON CHARGES OF TORTURING CRIMINAL SUSPECTS. THE SUPREME COURT IN NOVEMBER ORDERED AN INVESTIGATION INTO A JUDGE'S CONDUCT IN CONNECTION WITH ALLEGATIONS THAT SHE AND OTHER JUDGES HAD WITNESSED PRISONERS BEING TORTURED BY SECURITY FORCES, AS REPORTED BY A JOURNALIST IN AN ARTICLE PUBLISHED IN A DAILY NEWSPAPER IN OCTOBER.

16. ALLEGATIONS OF POLICE BRUTALITY CONTINUE TO APPEAR. BOTH THE PRESS AND THE GOVERNMENT HAVE DENOUNCED CASES OF PRISONER ABUSE AND ENCOURAGED JUDICIAL INVESTIGATIONS. IN FEBRUARY, AS A RESULT OF A COURT INVESTIGATION, 12 POLICE OFFICERS WERE TRIED FOR BEATING A DETAINEE WHO SUBSEQUENTLY DIED OF HIS INJURIES. IN JULY, A FEDERAL

JUDGE SENTENCED A PRISON GUARD TO THREE YEARS IMPRISONMENT FOR BEATING SEVERAL IMMATES AT CASEROS PENITENTIARY. COURT ACTION WAS INITIATED AGAINST SEVEN POLICE OFFICERS IN CORDOBA PROVINCE AND SIX IN MENDOZA, ALL CHARGED WITH ABUSE OF PRISONERS, BUT NO VERDICTS HAVE BEEN RENDERED YET.

17. FOLLOWING STRONG EDITORIAL CRITICISM OF TORTURE AND UNCLASSIFIED

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POLICE BRUTALITY, MINISTER OF INTERIOR RESTON ON SEPTEMBER 10, 1982 ORDERED PROVINCIAL GOVERNORS TO TAKE STEPS TO ELIMINATE THE USE OF TORTURE OR BRUTALITY BY PROVINCIAL AND MUNICIPAL POLICE AND TO PREVENT GENERAL MISTREATMENT OF PRISONERS. THE MINISTER ORDERED SEVERE MEASURES TAKEN AGAINST OFFICERS GUILTY OF EXCESSES. THE SUPREME COURT OVERTURNED A LOWER COURT'S CONVICTION OF AN INDIVIDUAL ON THE GROUNDS THAT HIS CONFESSION WAS OBTAINED THROUGH TORTURE.

18. D. CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT

THE GOVERNMENT CONTINUED IN 1982 IMPLEMENTING REFORMS INITIATED IN 1980 TO IMPROVE PRISON CONDITIONS FOR THOSE DETAINED ON SECURITY GROUNDS. THERE WAS GENERAL AGREEMENT THAT TREATMENT OF PERSONS DETAINED FOR OTHER THAN COMMON CRIMES IMPROVED MARKEDLY, INCLUDING ACCELERATION OF STATE OF SIEGE PRISONER RELEASES IN 1981 AND 1982. SOME OF THOSE RECENTLY RELEASED SAY THE GREATEST IMPROVEMENT IN CONDITIONS BEGAN FOLLOWING THE FALKLANDS/MALVINAS WAR. THE INTERNATIONAL COMMITTEE OF

THE RED CROSS HAS FREE ACCESS TO PRISONERS TO CONDUCT INSPECTIONS. APPLICATION OF THE TEST OF REASONABLENESS TO THE SEVERITY OF SENTENCES CONTINUED TO BE A FACTOR IN THE GREATER ROLE PLAYED BY THE COURTS IN GRANTING HABEAS CORPUS RULINGS IN THE CASE OF PRISONERS HELD FOR SECURITY REASONS.

19. HUMAN RIGHTS ORGANIZATIONS CONTINUE TO MAINTAIN, HOWEVER, THAT POLITICAL PRISONERS ARE CONSISTENTLY TREATED MORE HARSHLY THAN OTHER INMATES. ALLEGEDLY, STRICTER VIGILANCE, LIMITED FACILITIES FOR EXERCISE AND UNCLASSIFIED

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REST, AND INADEQUATE MEDICAL CARE LEAD TO GREATER PSYCHOLOGICAL AND PHYSICAL STRAINS THAN IS THE CASE FOR COMMON PRISONERS. ONE SUICIDE OF A PRISONER HELD FOR SECURITY REASONS (JORGE TOLEDO IN CASEROS PRISON) WAS REPORTED IN JUNE 1982.

20. E. ARBITRARY ARREST AND IMPRISONMENT

THE ARGENTINE PENAL CODE, PROMULGATED IN 1924, GIVES THE POLICE AND COURTS BROAD AUTHORITY TO DETAIN PERSONS AND HOLD THEM INCOMMUNICADO FOR UP TO EIGHT DAYS. EVEN IN THE CASE OF MINOR OFFENSES, THE HOLDING OF SUSPECTS INCOMMUNICADO FOR A FEW DAYS IS COMMON. APART FROM THIS AUTHORITY, THE CONSTITUTION CONFERS POWER ON THE EXECUTIVE BRANCH TO DETAIN AND HOLD PRISONERS UNDER A STATE OF SIEGE; ONE HAS BEEN IN EFFECT IN ARGENTINA SINCE NOVEMBER 1974. (BOTH THE STATE OF SIEGE POWERS AND THE PRISONERS DETAINED UNDER THEM ARE CHARACTERIZED WITH THE WIDELY KNOWN ACRONYM PEN, "PODER EJECUTIVO NACIONAL"). THERE IS NO TIME LIMIT FOR HOLDING PEN PRISONERS, BUT THEY HAVE THE NOMINAL CONSTITUTIONAL RIGHT TO CHOOSE FOREIGN EXILE IN LIEU OF CONTINUED IMPRISONMENT. SINCE 1978 NEARLY 1,000 PEN PRISONERS HAVE BEEN ALLOWED TO EXERCISE THIS OPTION. OVER 50 FORMER PEN PRISONERS, PLUS MORE THAN 40 FAMILY MEMBERS, HAVE OBTAINED REFUGEE STATUS IN THE UNITED STATES; THE LAST PEN PRISONER TO RECEIVE PERMISSION TO TRAVEL TO THE UNITED STATES ARRIVED IN NOVEMBER 1981.

21. FROM 1974 TO 1981, OVER 8,700 PERSONS SUSPECTED OF TERRORISM OR SUBVERSION WERE DETAINED UNDER PEN POWERS, ACCORDING TO THE MINISTRY OF INTERIOR. TWO PERSONS WHO WERE FUGITIVES SINCE THE MILITARY COUP AND EMERGED IN LATE 1982 WERE DETAINED UNDER PEN POWERS BUT WERE LATER

RELEASED. DURING 1982, APPROXIMATELY 425 PEN PRISONERS WERE RELEASED, MOSTLY ON PAROLE. ACCORDING TO THE UNCLASSIFIED

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MINISTRY OF INTERIOR, AS OF THE END OF 1982 THERE WERE 101 PEN PRISONERS HELD WITHOUT TRIAL OR AFTER BEING ACQUITTED OR HAVING COMPLETED THEIR SENTENCES. ANOTHER 59 INDIVIDUALS WERE IN TRIAL STATUS, AND 83 WERE SERVING SENTENCES IMPOSED BY THE CIVILIAN COURTS. ANOTHER 345 INDIVIDUALS, DESCRIBED BY THE MINISTRY OF INTERIOR AS SUBVERSIVES, WERE DETAINED UNDER ORDINARY CIVILIAN OR MILITARY PENAL CODES (I.E., NOT PEN POWERS), WERE CONVICTED AND WERE SERVING THEIR SENTENCES. IN LATE DECEMBER 1982, INTERIOR MINISTER RESTON SAID THAT NO PEN PRISONERS WOULD BE HELD IN PEN STATUS BY THE END OF 1983.

22. F. DENIAL OF FAIR PUBLIC TRIAL

PERSONS ACCUSED OF SUBVERSION OR TERRORISM MAY BE TRIED IN EITHER CIVILIAN OR MILITARY COURTS. THE ARGENTINE CIVILIAN PENAL CODE PROVIDES FOR OPEN TRIALS AND RIGHTS TO DEFENSE. DESPITE SUCH GUARANTEES, DEFENDANTS CAN BE DENIED ACCESS TO EVIDENCE AGAINST THEM, AND MOST OF THE PROCESS MAY BE CONDUCTED IN WRITTEN RATHER THAN ORAL FORM, A PRACTICE COMMON IN MANY LATIN AMERICAN LEGAL

SYSTEMS. MILITARY TRIBUNALS TRYING CIVILIANS ACCUSED OF INTERNAL SECURITY VIOLATIONS CONDUCT THEIR PROCEEDINGS IN SECRET. DEFENDANTS HAVE A MILITARY DEFENSE COUNSEL, USUALLY NOT A LAWYER, AND ARE NORMALLY DENIED ACCESS TO EVIDENCE AGAINST THEM. THERE DO NOT APPEAR TO HAVE BEEN ANY MILITARY TRIALS OF CIVILIANS IN 1982.

23. THE CIVILIAN JUDICIARY DISPLAYED INCREASING INDEPENDENCE IN 1982. IN FEBRUARY, THE SUPREME COURT, IN AN UNPRECEDENTED RULING, OVERTURNED A MILITARY COURT'S CONVICTION OF A MAN CHARGED WITH BELONGING TO AN ILLEGAL

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ORGANIZATION AND ORDERED A RETRIAL BY A LOWER CIVIL COURT. ALL RULINGS BY LOWER COURTS, CIVILIAN AND MILITARY, MAY BE APPEALED TO THE SUPREME COURT, WHICH IN 1982 SHOWED ITSELF INCREASINGLY DISPOSED TO ACCEPT SUCH APPEALS. IN AUGUST, THE SUPREME COURT TOOK ISSUE WITH A RULING OF THE ARMED FORCES' HIGHEST TRIBUNAL, THE COUNCIL

OF WAR, CLAIMING THE MILITARY COURT WAS "NOT COMPETENT" TO TRY AND SENTENCE AN INDIVIDUAL FOR SUBVERSIVE ASSOCIATION. THE PERSON CONCERNED WAS RELEASED, AS ORDERED BY THE COURT.

24. THE HIGH COURT ALSO BECAME MORE ACTIVE IN RESPONDING TO REQUESTS FOR WRITS OF HABEAS CORPUS FILED ON BEHALF OF INDIVIDUALS HELD ON SECURITY GROUNDS. LOWER CIVILIAN COURTS LIKEWISE HAVE STEPPED UP THEIR CONSIDERATION OF PEN-RELATED HABEAS CORPUS PETITIONS. A DOCTRINE ADVANCED IN AN AUGUST FEDERAL COURT DECISION -- THAT "CITIZENS CAN NO LONGER BE DEPRIVED OF THEIR FREEDOM FOR SECRET REASONS" -- APPEARED INCREASINGLY TO INFLUENCE LOWER COURT RULINGS. IN NOVEMBER 1982 THE SUPREME COURT DECIDED TO INVESTIGATE ALLEGATIONS THAT THE COURT MORGUE ILLEGALLY CARRIED OUT AUTOPSIES AND ISSUED IMPROPER DEATH CERTIFICATES FOR PRISONERS REPORTEDLY KILLED IN THE LATE 1970S BY SECURITY FORCES.

25. G. INVASION OF THE HOME.

WARRANTS ARE REQUIRED BEFORE POLICE MAY ENTER PRIVATE PREMISES WITHOUT THE OWNER'S PERMISSION. THESE ARE ISSUED BY A JUDGE ON THE SHOWING BY POLICE OF PROBABLE CAUSE. LIKE OTHER RIGHTS, PROTECTION OF THE HOME HAS BEEN SUSPENDED BY THE STATE OF SIEGE. HOWEVER, THERE WERE NO REPORTS IN 1982 OF SECURITY FORCES INVADING HOMES.

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2. RESPECT FOR CIVIL AND POLITICAL RIGHTS, INCLUDING:

A. FREEDOM OF SPEECH AND PRESS

CONSTITUTIONAL GUARANTEES OF THESE FREEDOMS HAVE BEEN CIRCUMSCRIBED SINCE THE IMPOSITION OF A STATE OF SIEGE IN 1974. THE MOST RECENT TREND, WITH SOME EXCEPTIONS, HAS BEEN TOWARD LIBERALIZATION, AND IT IS EXPECTED TO EXPAND FURTHER AS THE PROCESS OF CIVILIAN RESTORATION UNFOLDS. AS DOMESTIC POLITICAL COMPETITION HAS INTENSIFIED AND FOCUSED ON ELECTIONS, RESTRAINTS ON MEDIA AND FULLER EXPRESSION OF DISSENT HAVE LOOSENED. PUBLISHED CRITICISM OF THE MILITARY WAS A REGULAR MEDIA STAPLE BEFORE THE JULY LIFTING OF THE BAN ON POLITICAL ACTIVITY, AND IT SUBSEQUENTLY GREW MORE POINTED, WITH HUMAN RIGHTS

DEVELOPMENTS AND PARTICULARLY THE DISAPPEARED ISSUE RECEIVING PROMINENT TREATMENT. POLITICAL FIGURES HIGHLY CRITICAL OF THE GOVERNMENT APPEAR DAILY ON THE ELECTRONIC MEDIA. EXTENSIVE TELEVISION COVERAGE OF ANTI-GOVERNMENT LABOR RALLIES IN DECEMBER ILLUSTRATE THE NEW LIBERALIZED ATMOSPHERE.

27. REMINDERS TO THE GOVERNMENT-OWNED RADIO AND TELEVISION STATIONS CONCERNING SUBJECTS CONSIDERED SENSITIVE BY THE GOVERNMENT ARE ISSUED PERIODICALLY. IN NOVEMBER THE PRESS LEAKED AN APPARENTLY GENUINE GOVERNMENT MEMORANDUM CONTAINING A LIST OF ISSUES THAT TELEVISION STATIONS AND MOST RADIO STATIONS WERE NOT TO MENTION. THE ISSUES INCLUDED HUMAN RIGHTS GROUPS, JOURNALISTIC COMMENTARY ON HUMAN RIGHTS, AND RELATED ISSUES. PRINT AND NEWS MEDIA DO NOT APPEAR TO HAVE RECEIVED DIRECT WARNINGS IN 1982 AND PROVIDE EXTENSIVE COVERAGE OF THESE ISSUES. FROM OCTOBER TO DECEMBER, UNCLASSIFIED

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HOWEVER, FOLLOWING SEVERAL INDIRECT UNHEEDED WARNINGS, THE MILITARY JUNTA CLOSED FOUR PERIODICALS (THE FOURTH WAS A SUCCESSOR TO ONE OF THE FIRST THREE) FOR "BRINGING DISREPUTE UPON THE ESSENTIAL INSTITUTION OF THE REPUBLIC." THREE APPEALED THE CLOSURES AND WON IN COURT. THE LARGEST MAGAZINE WAS REPUBLISHING BY MID-DECEMBER.

28. SOME JOURNALISTS REPORTED ANONYMOUS THREATS, HARASSMENT, AND SURVEILLANCE BECAUSE OF THEIR WRITINGS. DURING THE DECEMBER 16, 1982 ANTI-GOVERNMENT DEMONSTRATION, SOME JOURNALISTS AND PHOTOGRAPHERS WERE BEATEN BY POLICE. SEVERAL FOREIGN JOURNALISTS COVERING THE FALKLANDS/MALVINAS WAR WERE KIDNAPPED IN TWO SEPARATE INCIDENTS. THEY WERE ROBBED, HELD SEVERAL HOURS, AND STRIPPED BEFORE BEING RELEASED. MANY OBSERVERS BELIEVE THAT THIS WAS THE WORK OF EXTREMISTS ASSOCIATED WITH THE STATE SECURITY ORGANIZATIONS. THEN-PRESIDENT GALTIERI MET WITH THE JOURNALISTS TO OFFER PERSONAL APOLOGIES AND ASSURANCES OF PROTECTION. JOURNALISTS REQUESTING THEM WERE PROVIDED POLICE BODYGUARDS.

29. CENSORSHIP OF ARGENTINE AND FOREIGN LITERARY AND OTHER ARTISTIC WORKS DECLINED SIGNIFICANTLY IN 1982. FOREIGN BOOKS AND MAGAZINES IN THEIR ORIGINAL LANGUAGE ARE PRACTICALLY FREE OF CENSORSHIP, BUT SPANISH TRANSLATIONS ARE SUBJECTED TO THE SAME SCRUTINY AS WORKS

BY ARGENTINES. HOWEVER, JACOBO TIMERMAN'S HIGHLY-CRITICAL AND CONTROVERSIAL BOOK ABOUT HIS DETENTION AND TORTURE IN ARGENTINA, "PRISONER WITHOUT A NAME, CELL WITHOUT A NUMBER", WAS PUBLISHED IN ARGENTINA UNDER A DIFFERENT TITLE) AND IS AVAILABLE IN SPANISH. CENSORSHIP OF FOREIGN FILMS FOR POLITICAL AND MORAL CONTENT IS ROUTINE, BUT CENSORS SHOWED INCREASING LENIENCY IN 1982. FILMS AUTHORIZED FOR SHOWING INCLUDED "THE HOUSE ON GARIBALDI STREET", ABOUT THE KIDNAPPING OF UNCLASSIFIED

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ADOLPH EICHMANN FROM BUENOS AIRES, AND "NORMA RAE", WHICH PRESENTED LAOOR UNION ACTIVISM ATTRACTIVELY. SIMILARLY, DRAMA PRODUCTIONS ARE AGAIN DEALING WITH SENSITIVE POLITICAL ISSUES. THE "OPEN THEATER" STAGED A SERIES IN BUENOS AIRES THAT INCLUDED SEVERAL HIGHLY POLITICAL PLAYS. A CELEBRATED ARGENTINE FOLK SINGER, FORMERLY PROSCRIBED FOR COMMUNIST SYMPATHIES, WAS ALLOWED TO RETURN FROM EXILE TO PURSUE HER CAREER.

30. THERE ARE STILL RESTRICTIONS ON ACADEMIC FREEDOM IN ARGENTINA. AT THE UNIVERSITY LEVEL, THERE IS AN OFFICIALLY PROMULGATED LIST OF ACTIVITIES, TOPICS, AND TEXTS WHICH ARE BANNED FROM CLASSROOMS. CONTROVERSY HAS ALSO BEEN SPARKED BY THE SELECTION CRITERIA IMPOSED BY THE GOVERNMENT FOR THE APPOINTMENT OF UNIVERSITY PROFESSORS. AT THE ELEMENTARY AND SECONDARY LEVELS, SUBJECTS AND TEXTS ARE RIGOROUSLY PRESCRIBED BY THE AUTHORITIES.

31. THERE ARE REPORTS THAT BOTH WIRETAPPING AND LETTER OPENING BY THE AUTHORITIES HAVE TAKEN PLACE IN ARGENTINA DURING 1982.

32. B. FREEDOM OF PEACEFUL ASSEMBLY AND ASSOCIATION

UNTIL THE LIFTING OF THE BAN ON POLITICAL ACTIVITY AND PROMULGATION OF THE POLITICAL PARTIES LAW IN AUGUST, PUBLIC MEETINGS WERE RESTRICTED TO ENCLOSED, ROOFED PREMISES, AND THEN ONLY WITH PRIOR PERMISSION OF THE AUTHORITIES. SINCE THEN, ALL GROUPS AND PARTIES, EXCEPT

RADICAL ORGANIZATIONS OUTLAWED FOR ESPOUSING VIOLENCE, HAVE BEEN FREE TO ORGANIZE AND ASSEMBLE. MAJOR RALLIES HAVE BEEN HELD BY VARIOUS POLITICAL PARTIES, INCLUDING UNCLASSIFIED

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THE COMMUNIST PARTY.

33. DESPITE MILITARY INTERVENTION IN 1976, LABOR UNIONS REMAIN A POWERFUL ECONOMIC AND POLITICAL FORCE. APPROXIMATELY ONE-THIRDOF THE WORK FORCE IS UNIONIZED, MOSTLY URBAN, INDUSTRIAL LABORERS. THE UNIONS GENERALLY OPPOSE THE MILITARY GOVERNMENT, ESPECIALLY ITS ECONOMIC AND SOCIAL POLICIES. SINCE MID-YEAR, THE GOVERNMENT HAS RESPONDED TO UNION DEMANDS AND DEMONSTRATIONS WITH TOLERANCE AND SOMETIMES WITH WAGE INCREASES AND OTHER CONCESSIONS. THIS CONTRASTS WITH A MARCH 30, 1982 CRACKDOWN ON DEMONSTRATING LABOR GROUPS THAT RESULTED IN THE BRIEF ARREST OF HUNDREDS AND THE FATAL SHOOTING OF ONE DEMONSTRATOR.

34. MOST MAJOR TRADE UNIONS REMAIN SUBJECT TO INTERVENTION AND, THEREFORE, ULTIMATE CONTROL BY APPOINTED GOVERNMENT REPRESENTATIVES. HOWEVER, IN LATE 1982 THE GOVERNMENT REMOVED MILITARY OVERSEERS FROM A HALF DOZEN LARGE UNIONS AND NAMED TRADE UNION LEADERS TO ASSUME THEIR CONTROL UNTIL UNION ELECTIONS ARE HELD. UNDER THE TERMS OF THE 1979 LABOR LAW, THE GOVERNMENT HAS OFFICIALLY RECOGNIZED APPROXIMATELY ONE-QUARTER OF THE NATION'S MORE THAN ONE THOUSAND UNIONS. THEY HAVE PROCEEDED TO ELECT NEW LEADERSHIP AND TO OPERATE WITHOUT DIRECT INTERFERENCE.

35. COLLECTIVE BARGAINING IS OFFICIALLY SUSPENDED. NEVERTHELESS, SOME FIRMS CHOOSE TO CONSULT WITH LABOR LEADERS ON PAY, BENEFITS, AND OTHER ISSUES. THE BAN ON STRIKES IS NOT NOW EFFECTIVELY ENFORCED, AND THEY OCCURRED WITH INCREASING FREQUENCY AFTER MID-YEAR. WHILE THE ADMINISTRATION OF GENERAL GALTIERADP024
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TAGS: SHUM, AR
SUBJECT: 1982 HUMAN RIGHTS REPORT - FINAL VERSION

1. FOLLOWING IS THE FINAL VERSION OF THE 1982 HUMAN RIGHTS REPORT FOR ARGENTINA. HUMAN RIGHTS REPORTS ARE STILL EMBARGOED, HENCE POST IS REQUESTED NOT TO RELEASE REPORT PENDING NOTIFICATION BY DEPARTMENT.

2. THE ARGENTINE ARMED FORCES HAVE HELD POWER SINCE 1976. THE MILITARY GOVERNMENT INSTITUTED MAJOR CHANGES, HOWEVER, IN 1982, EASING RESTRAINTS ON POLITICAL AND UNCLASSIFIED

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CIVIL LIBERTIES AND COMMITTING ITSELF TO ELECTIONS BY NOT LATER THAN NOVEMBER 1983, WITH THE RESTORATION OF A CONSTITUTIONAL GOVERNMENT SET FOR NOT LATER THAN MARCH 1984. THESE CHANGES OCCURRED IN THE WAKE OF SEVERE AND GROWING ECONOMIC PROBLEMS AND ARGENTINA'S DEFEAT IN THE FALKLANDS/MALVINAS CONFLICT. THEY FOLLOWED SIX YEARS OF MILITARY RULE, CHARACTERIZED BY THE USE OF HARSH MEASURES TO END TERRORISM AND CURB POLITICAL DISSENT, SEVERE LIMITATIONS ON POLITICAL ACTIVITY, AND THE FREQUENT LACK OF PROTECTION OF INDIVIDUAL RIGHTS. DURING THAT TIME, THE GOVERNMENT WAS UNABLE TO ESTABLISH A SOLID BASIS FOR ECONOMIC GROWTH OR A BASIC POLITICAL RESTRUCTURING.

3. IN JUNE 1982, PRESIDENT GALTIERI WAS REPLACED BY GENERAL (RET.) REYNALDO BIGNONE. THE NEW ADMINISTRATION LIFTED THE FORMAL BAN ON POLITICAL ACTIVITY ON JULY 1 AND IN AUGUST PROMULGATED A POLITICAL PARTIES LAW WHICH REQUIRED NEW REGISTRATION OF PARTY MEMBERS TO BE FOLLOWED BY INTERNAL PARTY ELECTIONS IN PREPARATION FOR THE NATIONAL ELECTIONS. TRADE UNIONS, WHILE CIRCUMSCRIBED BY GOVERNMENT INTERVENTION DATING FROM 1976, HAVE BEEN FREE TO FUNCTION IN MANY CASES AS THOUGH THERE WERE NO

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CONTROLS. LATE 1982 WITNESSED AN UPSURGE IN POLITICAL AND LABOR ACTIVITY. POLITICAL PARTIES (INCLUDING THE COMMUNISTS) STAGED LARGE RALLIES, HUMAN RIGHTS GROUPS HELD DEMONSTRATIONS, AND LABOR ORGANIZED A SUCCESSFUL NATIONAL STRIKE. AT LEAST 100,000 PEOPLE, ORGANIZED BY POLITICAL, UNION, AND HUMAN RIGHTS GROUPS, TOOK PART IN A "MARCH FOR DEMOCRACY" IN DOWNTOWN BUENOS AIRES IN MID-DECEMBER. THE OVERALL RESULT HAS BEEN A MAJOR CHANGE IN THE EXERCISE OF POLITICAL RIGHTS DURING THE SECOND HALF OF 1982.

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4. THE PRESS ALSO HAS BEEN LESS INHIBITED IN 1982 THAN AT ANY TIME SINCE THE EARLY 1970S. CRITICISM OF GOVERNMENT POLICIES AND PROGRAMS BECAME A MATTER OF COURSE. FOUR SMALL PUBLICATIONS WERE CLOSED BRIEFLY LATE IN THE YEAR, BUT OVERALL FREEDOM TO DISCUSS SENSITIVE POLITICAL AND SOCIAL QUESTIONS EXPANDED MARKEDLY. IN THE ELECTRONIC MEDIA, SENSITIVE SUBJECTS HAVE BEEN OPENLY TREATED ON RADIO, BUT LESS SO ON STATE-OWNED TELEVISION.

5. THE JUDICIAL SYSTEM DISPLAYED GREATER INDEPENDENCE IN 1982. THE SUPREME COURT OVERTURNED A MILITARY COURT RULING FOR THE FIRST TIME. LOWER COURTS HAVE BEEN INCREASINGLY RECEPTIVE TO HABEAS CORPUS PETITIONS FILED ON BEHALF OF PRISONERS HELD UNDER STATE OF SIEGE POWERS. THE COURTS RULED IN FAVOR OF THREE OF THE PERIODICALS CLOSED BY THE AUTHORITIES. PRISON CONDITIONS CONTINUED TO DRAW CRITICISM FROM INMATES AND THEIR FAMILIES. HOWEVER, EARLIER REFORMS WERE REINFORCED; COURTS HAVE HEARD PRISONER-ABUSE CASES AND PUNISHED GUARDS FOUND GUILTY.

6. DESPITE THE SIGNIFICANT EXPANSION OF CIVIL AND POLITICAL LIBERTIES, INCIDENTS OF VIOLENCE OCCURRED IN 1982 WHICH MANY BELIEVED TO HAVE BEEN PROVOKED BY ELEMENTS LINKED TO THE STATE SECURITY ORGANIZATIONS BUT OPERATING WITHOUT THE SANCTION OF THE GOVERNMENT. THESE UNCONTROLLED ELEMENTS WERE WIDELY HELD RESPONSIBLE FOR HARASSMENT AND THREATS AGAINST HUMAN RIGHTS ACTIVISTS AND FOREIGN AND ARGENTINE JOURNALISTS, FOR THE ABDUCTION OF SEVERAL PEOPLE WHO LATER REAPPEARED, AND FOR TWO MURDERS. SOME OBSERVERS INTERPRETED THESE EFFORTS AS ATTEMPTS BY DISSIDENTS WITHIN, OR ASSOCIATED WITH, THE SECURITY FORCES TO UNDERMINE THE GOVERNMENT'S MOVEMENT TOWARD CONSTITUTIONAL AND CIVILIAN RULE.

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7. THERE WERE NO REPORTED DISAPPEARANCES IN 1982. HUMAN
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RIGHTS GROUPS AND SOME POLITICAL PARTIES HAVE CONCENTRATED ON EFFORTS TO FORCE AN ACCOUNTING FOR PAST DISAPPEARANCES WHICH NUMBERED IN THE THOUSANDS, INCLUDING APPROPRIATE PUNISHMENT OF THOSE RESPONSIBLE. THESE EFFORTS GAINED IMPETUS WHEN THE PRESS REPORTED THAT UNMARKED GRAVESITES CONTAINED THE BODIES OF PERSONS WHO DISAPPEARED DURING THE MID-TO-LATE 1970S. GIVEN THE WIDESPREAD BELIEF THAT MANY OF THE DISAPPEARED WERE KILLED WITH THE COMPLICITY OF OFFICIAL SECURITY PERSONNEL, THIS ISSUE IS A HIGHLY SENSITIVE AND IMPORTANT ONE FOR THE RETURN TO DEMOCRATIC GOVERNMENT. THE GOVERNMENT INITIATED EFFORTS TO TRY TO REACH AN UNDERSTANDING WITH FUTURE CIVILIAN LEADERS ON THIS ISSUE PRIOR TO THE DEPARTURE OF THE MILITARY GOVERNMENT. BY LATE 1982, THE GOVERNMENT IS BELIEVED PRIVATELY TO HAVE PROVIDED INFORMATION TO FAMILY MEMBERS REGARDING DEATHS AND BURIAL SITES IN APPROXIMATELY ONE FIFTH OF THE CASES OF PERSONS WHOSE DISAPPEARANCE WAS REPORTED TO THE GOVERNMENT BETWEEN 1974 AND 1982.

8. THE GOVERNMENT ACCELERATED RELEASES OF STATE OF SIEGE POLITICAL PRISONERS, HELD UNDER SPECIAL STATE OF SIEGE POWERS, FREEING APPROXIMATELY 425 IN 1982. THE NUMBER OF SUCH PRISONERS WAS REDUCED TO 243 AT THE END OF THE YEAR.

9. ARGENTINE HUMAN RIGHTS ORGANIZATIONS HAVE EXPERIENCED GREATER FREEDOM OF ACTION, PARTICULARLY SINCE THE INAUGURATION OF THE BIGNONE ADMINISTRATION. IN AN IMPRESSIVE SHOWING, ABOUT 10,000 PEOPLE MARCHED IN DOWNTOWN BUENOS AIRES IN OCTOBER 1982 AND THEN A MUCH LARGER MARCH TOOK PLACE IN DECEMBER. THE RELAXATION OF RESTRICTIONS ON CIVIL AND POLITICAL LIBERTIES HAS PERMITTED GREATER PRESS ATTENTION TO THE ACTIVITIES OF
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HUMAN RIGHTS GROUPS AND ENCOURAGED PROMINENT ARGENTINE FIGURES TO LEND THEIR SUPPORT. URGED ON BY HUMANITARIAN GROUPS, MANY POLITICAL LEADERS HAVE ENDORSED OBJECTIVES OF THE HUMAN RIGHTS MOVEMENT.

10. THE ARGENTINE GOVERNMENT HAS ADOPTED VARYING ECONOMIC POLICIES SINCE 1976 BUT THE MAJOR THRUST HAS

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BEEN TOWARD GREATER RELIANCE ON THE FREE MARKET, ALBEIT WITHIN A CONTEXT OF EXTENSIVE EXISTING STATE CONTROLS. ARGENTINA WAS BESET BY A NUMBER OF SEVERE ECONOMIC PROBLEMS IN 1982 INCLUDING HIGH LEVELS OF INFLATION, A DEEPENING RECESSION, WHICH REDUCED REAL WAGES, AND INCREASED UNEMPLOYMENT.

11.

1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING FREEDOM FROM:

A. KILLING

THE TWO REPORTED KILLINGS FOR APPARENT POLITICAL MOTIVES WERE THOSE OF ANA MARIA MARTINEZ, SAID TO BE ACTIVE IN THE TROTSKYITE SOCIALIST WORKERS PARTY, AND MARCELO DUPONT, WHOSE BROTHER CLAIMS HE HAS EVIDENCE IN A CASE OF MURDER THAT OCCURRED IN 1978. NEITHER CASE HAS BEEN RESOLVED. MANY OBSERVERS BELIEVE THAT THESE TWO MURDERS MAY HAVE BEEN PERPETRATED BY INDIVIDUALS WITH LINKS TO THE POLICE OR MILITARY OPERATING OUTSIDE THE CONTROL OF THE GOVERNMENT. THE GOVERNMENT HAS PROMISED THOROUGH INVESTIGATIONS.

12. B. DISAPPEARANCE

THERE WAS NO EVIDENCE OF DISAPPEARANCES IN 1982. VARIOUS HUMAN RIGHTS ORGANIZATIONS HAVE REPORTED SOME PERSONS AS DISAPPEARED. IN ALL TWELVE INSTANCES CITED, PERSONS

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ABDUCTED, DETAINED, OR TEMPORARILY MISSING RETURNED HOME OR WERE RELEASED WITHIN SEVERAL DAYS OF THEIR INITIAL ABSENCE, WITH THE EXCEPTION OF ONE INDIVIDUAL WHO REMAINS IN ACKNOWLEDGED DETENTION ON CRIMINAL CHARGES. ACCORDING TO HUMAN RIGHTS ORGANIZATIONS, SOME ABDUCTORS REPORTEDLY TOLD THEIR VICTIMS THAT THEY REPRESENTED A STATE AUTHORITY, FROM WHICH THE HUMAN RIGHTS ORGANIZATIONS INFERRED OFFICIAL COMPLICITY. THE GOVERNMENT DISCLAIMED RESPONSIBILITY FOR THE ABDUCTIONS.

13. DEMANDS THAT THE AUTHORITIES ACCOUNT FOR THE LARGE NUMBER OF PEOPLE WHO DISAPPEARED IN THE PAST BECAME A MAJOR NATIONAL ISSUE IN 1982. CONSIDERABLE DISAGREEMENT REMAINS AS TO HOW MANY PERSONS DISAPPEARED. THE MOST CAREFULLY DOCUMENTED LIST, COMPILED BY THE ARGENTINE PERMANENT ASSEMBLY FOR HUMAN RIGHTS, CONTAINS

APPROXIMATELY 6,000 NAMES. OTHER ESTIMATES ARE MUCH HIGHER. IT IS GENERALLY BELIEVED THAT MOST OF THOSE WHO DISAPPEARED OVER THE YEARS ARE DEAD, MANY AS A RESULT OF ACTIONS BY SECURITY FORCES BUT ALSO SOME AT THE HANDS OF TERRORIST GROUPS.

14. IN LATE 1982, THE PRESS, POLITICAL PARTIES, AND HUMAN RIGHTS ORGANIZATIONS JOINED IN DEMANDING INVESTIGATIONS OF UNMARKED GRAVES RECENTLY IDENTIFIED AND THOUGHT TO CONTAIN THE BODIES OF SOME OF THE DISAPPEARED AND CALLING FOR LEGAL ACTION AGAINST THOSE RESPONSIBLE. SEVERAL FOREIGN GOVERNMENTS ALSO RENEWED ACTIVE EFFORTS IN LATE 1982 TO SEEK AN ACCOUNTING OF THEIR NATIONALS OR DESCENDANTS REPORTED AS DISAPPEARED. THE ARGENTINE GOVERNMENT HAS RECEIVED APPROXIMATELY 6,600 REQUESTS FOR INFORMATION ON THE WHEREABOUTS OF DISAPPEARED PERSONS AND IS BELIEVED TO HAVE PROVIDED INFORMATION TO FAMILY

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MEMBERS ON THE DEATHS AND IN SOME INSTANCES THE LOCATION OF THE REMAINS OF THE DISAPPEARED IN ABOUT 1,450 CASES. ON SEPTEMBER 29 THE MINISTER OF INTERIOR PUBLICLY SAID THE GOVERNMENT WILL CONTINUE TO COLLECT INFORMATION ABOUT DISAPPEARANCE CASES AND PROVIDE IT TO RELATIVES.

15. C TORTURE

THE ARGENTINE CONSTITUTION PROHIBITS THE USE OF TORTURE, BUT ITS USE HAS BEEN NOTED IN BOTH HUMAN RIGHTS AND COMMON CRIMINAL CASES. THE COURTS HAVE SOUGHT TO CURB ITS USE. MOST OF THE PERSONS REPORTED AS TEMPORARILY MISSING IN 1982 CLAIMED TO HAVE BEEN SUBJECTED TO TORTURE BY ELECTRIC SHOCK OR THE PLACEMENT OF PLASTIC BAGS OVER THEIR HEADS CAUSING SUFFOCATION. IN MARCH, THE BUENOS AIRES LAWYERS' ASSOCIATION DENOUNCED WHAT IT REFERRED TO AS THE CONTINUING, SYSTEMATIC USE OF TORTURE BY SECURITY OFFICIALS. THE LAWYERS' ASSOCIATION OF SALTA PROVINCE AT MID-YEAR CHARGED THAT INMATES AT THE LOCAL PENITENTIARY WERE TORTURED AND BRUTALIZED REGULARLY BY GUARDS. IN OCTOBER, FOUR POLICEMEN WERE ARRESTED BY JUDICIAL ORDER ON CHARGES OF TORTURING CRIMINAL SUSPECTS. THE SUPREME COURT IN NOVEMBER ORDERED AN INVESTIGATION INTO A JUDGE'S CONDUCT IN CONNECTION WITH ALLEGATIONS THAT SHE AND OTHER JUDGES HAD WITNESSED PRISONERS BEING TORTURED BY SECURITY FORCES, AS REPORTED BY A JOURNALIST IN AN ARTICLE PUBLISHED IN A DAILY NEWSPAPER IN OCTOBER.

16. ALLEGATIONS OF POLICE BRUTALITY CONTINUE TO APPEAR. BOTH THE PRESS AND THE GOVERNMENT HAVE DENOUNCED CASES OF PRISONER ABUSE AND ENCOURAGED JUDICIAL INVESTIGATIONS. IN FEBRUARY, AS A RESULT OF A COURT INVESTIGATION, 12 POLICE OFFICERS WERE TRIED FOR BEATING A DETAINEE WHO SUBSEQUENTLY DIED OF HIS INJURIES. IN JULY, A FEDERAL JUDGE SENTENCED A PRISON GUARD TO THREE YEARS IMPRISONMENT FOR BEATING SEVERAL IMMATES AT CASEROS
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PENITENTIARY. COURT ACTION WAS INITIATED AGAINST SEVEN POLICE OFFICERS IN CORDOBA PROVINCE AND SIX IN MENDOZA, ALL CHARGED WITH ABUSE OF PRISONERS, BUT NO VERDICTS HAVE BEEN RENDERED YET.

17. FOLLOWING STRONG EDITORIAL CRITICISM OF TORTURE AND POLICE BRUTALITY, MINISTER OF INTERIOR RESTON ON SEPTEMBER 10, 1982 ORDERED PROVINCIAL GOVERNORS TO TAKE STEPS TO ELIMINATE THE USE OF TORTURE OR BRUTALITY BY PROVINCIAL AND MUNICIPAL POLICE AND TO PREVENT GENERAL MISTREATMENT OF PRISONERS. THE MINISTER ORDERED SEVERE MEASURES TAKEN AGAINST OFFICERS GUILTY OF EXCESSES. THE SUPREME COURT OVERTURNED A LOWER COURT'S CONVICTION OF AN INDIVIDUAL ON THE GROUNDS THAT HIS CONFESSION WAS OBTAINED THROUGH TORTURE.

18. D. CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT

THE GOVERNMENT CONTINUED IN 1982 IMPLEMENTING REFORMS INITIATED IN 1980 TO IMPROVE PRISON CONDITIONS FOR THOSE DETAINED ON SECURITY GROUNDS. THERE WAS GENERAL AGREEMENT THAT TREATMENT OF PERSONS DETAINED FOR OTHER THAN COMMON CRIMES IMPROVED MARKEDLY, INCLUDING ACCELERATION OF STATE OF SIEGE PRISONER RELEASES IN 1981 AND 1982. SOME OF THOSE RECENTLY RELEASED SAY THE GREATEST IMPROVEMENT IN CONDITIONS BEGAN FOLLOWING THE FALKLANDS/MALVINAS WAR. THE INTERNATIONAL COMMITTEE OF THE RED CROSS HAS FREE ACCESS TO PRISONERS TO CONDUCT INSPECTIONS. APPLICATION OF THE TEST OF REASONABLENESS TO THE SEVERITY OF SENTENCES CONTINUED TO BE A FACTOR IN THE GREATER ROLE PLAYED BY THE COURTS IN GRANTING HABEAS CORPUS RULINGS IN THE CASE OF PRISONERS HELD FOR SECURITY
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REASONS.

19. HUMAN RIGHTS ORGANIZATIONS CONTINUE TO MAINTAIN, HOWEVER, THAT POLITICAL PRISONERS ARE CONSISTENTLY TREATED MORE HARSHLY THAN OTHER INMATES. ALLEGEDLY, STRICTER VIGILANCE, LIMITED FACILITIES FOR EXERCISE AND REST, AND INADEQUATE MEDICAL CARE LEAD TO GREATER PSYCHOLOGICAL AND PHYSICAL STRAINS THAN IS THE CASE FOR COMMON PRISONERS. ONE SUICIDE OF A PRISONER HELD FOR SECURITY REASONS (JORGE TOLEDO IN CASEROS PRISON) WAS REPORTED IN JUNE 1982.

20. E. ARBITRARY ARREST AND IMPRISONMENT

THE ARGENTINE PENAL CODE, PROMULGATED IN 1924, GIVES THE POLICE AND COURTS BROAD AUTHORITY TO DETAIN PERSONS AND HOLD THEM INCOMMUNICADO FOR UP TO EIGHT DAYS. EVEN IN THE CASE OF MINOR OFFENSES, THE HOLDING OF SUSPECTS INCOMMUNICADO FOR A FEW DAYS IS COMMON. APART FROM THIS AUTHORITY, THE CONSTITUTION CONFERS POWER ON THE EXECUTIVE BRANCH TO DETAIN AND HOLD PRISONERS UNDER A STATE OF SIEGE; ONE HAS BEEN IN EFFECT IN ARGENTINA SINCE NOVEMBER 1974. (BOTH THE STATE OF SIEGE POWERS AND THE PRISONERS DETAINED UNDER THEM ARE CHARACTERIZED WITH THE WIDELY KNOWN ACRONYM PEN, "PODER EJECUTIVO NACIONAL"). THERE IS NO TIME LIMIT FOR HOLDING PEN PRISONERS, BUT THEY HAVE THE NOMINAL CONSTITUTIONAL RIGHT TO CHOOSE FOREIGN EXILE IN LIEU OF CONTINUED IMPRISONMENT. SINCE 1978 NEARLY 1,000 PEN PRISONERS HAVE BEEN ALLOWED TO EXERCISE THIS OPTION. OVER 50 FORMER PEN PRISONERS, PLUS MORE THAN 40 FAMILY MEMBERS, HAVE OBTAINED REFUGEE STATUS IN THE UNITED STATES; THE LAST PEN PRISONER TO RECEIVE PERMISSION TO TRAVEL TO THE UNITED STATES ARRIVED IN NOVEMBER 1981.

21. FROM 1974 TO 1981, OVER 8,700 PERSONS SUSPECTED OF UNCLASSIFIED

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TERRORISM OR SUBVERSION WERE DETAINED UNDER PEN POWERS, ACCORDING TO THE MINISTRY OF INTERIOR. TWO PERSONS WHO WERE FUGITIVES SINCE THE MILITARY COUP AND EMERGED IN LATE 1982 WERE DETAINED UNDER PEN POWERS BUT WERE LATER RELEASED. DURING 1982, APPROXIMATELY 425 PEN PRISONERS WERE RELEASED, MOSTLY ON PAROLE. ACCORDING TO THE MINISTRY OF INTERIOR, AS OF THE END OF 1982 THERE WERE 101 PEN PRISONERS HELD WITHOUT TRIAL OR AFTER BEING ACQUITTED OR HAVING COMPLETED THEIR SENTENCES. ANOTHER

59 INDIVIDUALS WERE IN TRIAL STATUS, AND 83 WERE SERVING SENTENCES IMPOSED BY THE CIVILIAN COURTS. ANOTHER 345 INDIVIDUALS, DESCRIBED BY THE MINISTRY OF INTERIOR AS SUBVERSIVES, WERE DETAINED UNDER ORDINARY CIVILIAN OR MILITARY PENAL CODES (I.E., NOT PEN POWERS), WERE CONVICTED AND WERE SERVING THEIR SENTENCES. IN LATE DECEMBER 1982, INTERIOR MINISTER RESTON SAID THAT NO PEN PRISONERS WOULD BE HELD IN PEN STATUS BY THE END OF 1983.

22. F. DENIAL OF FAIR PUBLIC TRIAL

PERSONS ACCUSED OF SUBVERSION OR TERRORISM MAY BE TRIED IN EITHER CIVILIAN OR MILITARY COURTS. THE ARGENTINE CIVILIAN PENAL CODE PROVIDES FOR OPEN TRIALS AND RIGHTS TO DEFENSE. DESPITE SUCH GUARANTEES, DEFENDANTS CAN BE DENIED ACCESS TO EVIDENCE AGAINST THEM, AND MOST OF THE PROCESS MAY BE CONDUCTED IN WRITTEN RATHER THAN ORAL FORM, A PRACTICE COMMON IN MANY LATIN AMERICAN LEGAL SYSTEMS. MILITARY TRIBUNALS TRYING CIVILIANS ACCUSED OF INTERNAL SECURITY VIOLATIONS CONDUCT THEIR PROCEEDINGS IN SECRET. DEFENDANTS HAVE A MILITARY DEFENSE COUNSEL, USUALLY NOT A LAWYER, AND ARE NORMALLY DENIED ACCESS TO EVIDENCE AGAINST THEM. THERE DO NOT APPEAR TO HAVE BEEN ANY MILITARY TRIALS OF CIVILIANS IN 1982.
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23. THE CIVILIAN JUDICIARY DISPLAYED INCREASING INDEPENDENCE IN 1982. IN FEBRUARY, THE SUPREME COURT, IN AN UNPRECEDENTED RULING, OVERTURNED A MILITARY COURT'S CONVICTION OF A MAN CHARGED WITH BELONGING TO AN ILLEGAL ORGANIZATION AND ORDERED A RETRIAL BY A LOWER CIVIL COURT. ALL RULINGS BY LOWER COURTS, CIVILIAN AND MILITARY, MAY BE APPEALED TO THE SUPREME COURT, WHICH IN 1982 SHOWED ITSELF INCREASINGLY DISPOSED TO ACCEPT SUCH APPEALS. IN AUGUST, THE SUPREME COURT TOOK ISSUE WITH A RULING OF THE ARMED FORCES' HIGHEST TRIBUNAL, THE COUNCIL OF WAR, CLAIMING THE MILITARY COURT WAS "NOT COMPETENT" TO TRY AND SENTENCE AN INDIVIDUAL FOR SUBVERSIVE ASSOCIATION. THE PERSON CONCERNED WAS RELEASED, AS ORDERED BY THE COURT.

24. THE HIGH COURT ALSO BECAME MORE ACTIVE IN RESPONDING TO REQUESTS FOR WRITS OF HABEAS CORPUS FILED ON BEHALF OF INDIVIDUALS HELD ON SECURITY GROUNDS. LOWER CIVILIAN COURTS LIKEWISE HAVE STEPPED UP THEIR CONSIDERATION OF PEN-RELATED HABEAS CORPUS PETITIONS. A DOCTRINE ADVANCED IN AN AUGUST FEDERAL COURT DECISION -- THAT "CITIZENS CAN

NO LONGER BE DEPRIVED OF THEIR FREEDOM FOR SECRET REASONS" -- APPEARED INCREASINGLY TO INFLUENCE LOWER COURT RULINGS. IN NOVEMBER 1982 THE SUPREME COURT DECIDED TO INVESTIGATE ALLEGATIONS THAT THE COURT MORGUE ILLEGALLY CARRIED OUT AUTOPSIES AND ISSUED IMPROPER DEATH CERTIFICATES FOR PRISONERS REPORTEDLY KILLED IN THE LATE 1970S BY SECURITY FORCES.

25. G. INVASION OF THE HOME.

WARRANTS ARE REQUIRED BEFORE POLICE MAY ENTER PRIVATE PREMISES WITHOUT THE OWNER'S PERMISSION. THESE ARE ISSUED BY A JUDGE ON THE SHOWING BY POLICE OF PROBABLE CAUSE. LIKE OTHER RIGHTS, PROTECTION OF THE HOME HAS UNCLASSIFIED

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BEEN SUSPENDED BY THE STATE OF SIEGE. HOWEVER, THERE WERE NO REPORTS IN 1982 OF SECURITY FORCES INVADING HOMES.

26.

2. RESPECT FOR CIVIL AND POLITICAL RIGHTS, INCLUDING:

A. FREEDOM OF SPEECH AND PRESS

CONSTITUTIONAL GUARANTEES OF THESE FREEDOMS HAVE BEEN CIRCUMSCRIBED SINCE THE IMPOSITION OF A STATE OF SIEGE IN 1974. THE MOST RECENT TREND, WITH SOME EXCEPTIONS, HAS BEEN TOWARD LIBERALIZATION, AND IT IS EXPECTED TO EXPAND FURTHER AS THE PROCESS OF CIVILIAN RESTORATION UNFOLDS. AS DOMESTIC POLITICAL COMPETITION HAS INTENSIFIED AND FOCUSED ON ELECTIONS, RESTRAINTS ON MEDIA AND FULLER EXPRESSION OF DISSENT HAVE LOOSENED. PUBLISHED CRITICISM OF THE MILITARY WAS A REGULAR MEDIA STAPLE BEFORE THE JULY LIFTING OF THE BAN ON POLITICAL ACTIVITY, AND IT SUBSEQUENTLY GREW MORE POINTED, WITH HUMAN RIGHTS DEVELOPMENTS AND PARTICULARLY THE DISAPPEARED ISSUE RECEIVING PROMINENT TREATMENT. POLITICAL FIGURES HIGHLY CRITICAL OF THE GOVERNMENT APPEAR DAILY ON THE ELECTRONIC MEDIA. EXTENSIVE TELEVISION COVERAGE OF ANTI-GOVERNMENT LABOR RALLIES IN DECEMBER ILLUSTRATE THE NEW LIBERALIZED ATMOSPHERE.

27. REMINDERS TO THE GOVERNMENT-OWNED RADIO AND TELEVISION STATIONS CONCERNING SUBJECTS CONSIDERED SENSITIVE BY THE GOVERNMENT ARE ISSUED PERIODICALLY. IN NOVEMBER THE PRESS LEAKED AN APPARENTLY GENUINE

GOVERNMENT MEMORANDUM CONTAINING A LIST OF ISSUES THAT
TELEVISION STATIONS AND MOST RADIO STATIONS WERENOT TO
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MENTION. THE ISSUES INCLUDED HUMAN RIGHTS GROUPS,
JOURNALISTIC COMMENTARY ON HUMAN RIGHTS, AND RELATED
ISSUES. PRINT AND NEWS MEDIA DO NOT APPEAR TO HAVE
RECEIVED DIRECT WARNINGS IN 1982 AND PROVIDE EXTENSIVE
COVERAGE OF THESE ISSUES. FROM OCTOBER TO DECEMBER,
HOWEVER, FOLLOWING SEVERAL INDIRECT UNHEEDED WARNINGS,
THE MILITARY JUNTA CLOSED FOUR PERIODICALS (THE FOURTH
WAS A SUCCESSOR TO ONE OF THE FIRST THREE) FOR "BRINGING
DISREPUTE UPON THE ESSENTIAL INSTITUTION OF THE
REPUBLIC." THREE APPEALED THE CLOSURES AND WON IN
COURT. THE LARGEST MAGAZINE WAS REPUBLISHING BY
MID-DECEMBER.

28. SOME JOURNALISTS REPORTED ANONYMOUS THREATS,
HARASSMENT, AND SURVEILLANCE BECAUSE OF THEIR WRITINGS.
DURING THE DECEMBER 16, 1982 ANTI-GOVERNMENT
DEMONSTRATION, SOME JOURNALISTS AND PHOTOGRAPHERS WERE
BEATEN BY POLICE. SEVERAL FOREIGN JOURNALISTS COVERING
THE FALKLANDS/MALVINAS WAR WERE KIDNAPPED IN TWO SEPARATE
INCIDENTS. THEY WERE ROBBED, HELD SEVERAL HOURS, AND
STRIPPED BEFORE BEING RELEASED. MANY OBSERVERS BELIEVE
THAT THIS WAS THE WORK OF EXTREMISTS ASSOCIATED WITH THE
STATE SECURITY ORGANIZATIONS. THEN-PRESIDENT GALTIERI
MET WITH THE JOURNALISTS TO OFFER PERSONAL APOLOGIES AND
ASSURANCES OF PROTECTION. JOURNALISTS REQUESTING THEM
WERE PROVIDED POLICE BODYGUARDS.

29. CENSORSHIP OF ARGENTINE AND FOREIGN LITERARY AND
OTHER ARTISTIC WORKS DECLINED SIGNIFICANTLY IN 1982.
FOREIGN BOOKS AND MAGAZINES IN THEIR ORIGINAL LANGUAGE
ARE PRACTICALLY FREE OF CENSORSHIP, BUT SPANISH
TRANSLATIONS ARE SUBJECTED TO THE SAME SCRUTINY AS WORKS
BY ARGENTINES. HOWEVER, JACOBO TIMERMAN'S
HIGHLY-CRITICAL AND CONTROVERSIAL BOOK ABOUT HIS
DETENTION AND TORTURE IN ARGENTINA, "PRISONER WITHOUT A
NAME, CELL WITHOUT A NUMBER", WAS PUBLISHED IN ARGENTINA
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UNDER A DIFFERENT TITLE) AND IS AVAILABLE IN SPANISH.
CENSORSHIP OF FOREIGN FILMS FOR POLITICAL AND MORAL
CONTENT IS ROUTINE, BUT CENSORS SHOWED INCREASING

LENIENCY IN 1982. FILMS AUTHORIZED FOR SHOWING INCLUDED "THE HOUSE ON GARIBALDI STREET", ABOUT THE KIDNAPPING OF ADOLPH EICHMANN FROM BUENOS AIRES, AND "NORMA RAE", WHICH PRESENTED LAOOR UNION ACTIVISM ATTRACTIVELY. SIMILARLY, DRAMA PRODUCTIONS ARE AGAIN DEALING WITH SENSITIVE POLITICAL ISSUES. THE "OPEN THEATER" STAGED A SERIES IN BUENOS AIRES THAT INCLUDED SEVERAL HIGHLY POLITICAL PLAYS. A CELEBRATED ARGENTINE FOLK SINGER, FORMERLY PROSCRIBED FOR COMMUNIST SYMPATHIES, WAS ALLOWED TO RETURN FROM EXILE TO PURSUE HER CAREER.

30. THERE ARE STILL RESTRICTIONS ON ACADEMIC FREEDOM IN ARGENTINA. AT THE UNIVERSITY LEVEL, THERE IS AN OFFICIALLY PROMULGATED LIST OF ACTIVITIES, TOPICS, AND TEXTS WHICH ARE BANNED FROM CLASSROOMS. CONTROVERSY HAS ALSO BEEN SPARKED BY THE SELECTION CRITERIA IMPOSED BY THE GOVERNMENT FOR THE APPOINTMENT OF UNIVERSITY PROFESSORS. AT THE ELEMENTARY AND SECONDARY LEVELS, SUBJECTS AND TEXTS ARE RIGOROUSLY PRESCRIBED BY THE AUTHORITIES.

31. THERE ARE REPORTS THAT BOTH WIRETAPPING AND LETTER OPENING BY THE AUTHORITIES HAVE TAKEN PLACE IN ARGENTINA DURING 1982.

32. B. FREEDOM OF PEACEFUL ASSEMBLY AND ASSOCIATION

UNTIL THE LIFTING OF THE BAN ON POLITICAL ACTIVITY AND PROMULGATION OF THE POLITICAL PARTIES LAW IN AUGUST, PUBLIC MEETINGS WERE RESTRICTED TO ENCLOSED, ROOFED
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PREMISES, AND THEN ONLY WITH PRIOR PERMISSION OF THE AUTHORITIES. SINCE THEN, ALL GROUPS AND PARTIES, EXCEPT RADICAL ORGANIZATIONS OUTLAWED FOR ESPOUSING VIOLENCE, HAVE BEEN FREE TO ORGANIZE AND ASSEMBLE. MAJOR RALLIES HAVE BEEN HELD BY VARIOUS POLITICAL PARTIES, INCLUDING THE COMMUNIST PARTY.

33. DESPITE MILITARY INTERVENTION IN 1976, LABOR UNIONS REMAIN A POWERFUL ECONOMIC AND POLITICAL FORCE. APPROXIMATELY ONE-THIRDOF THE WORK FORCE IS UNIONIZED, MOSTLY URBAN, INDUSTRIAL LABORERS. THE UNIONS GENERALLY OPPOSE THE MILITARY GOVERNMENT, ESPECIALLY ITS ECONOMIC AND SOCIAL POLICIES. SINCE MID-YEAR, THE GOVERNMENT HAS RESPONDED TO UNION DEMANDS AND DEMONSTRATIONS WITH TOLERANCE AND SOMETIMES WITH WAGE INCREASES AND OTHER

CONCESSIONS. THIS CONTRASTS WITH A MARCH 30, 1982 CRACKDOWN ON DEMONSTRATING LABOR GROUPS THAT RESULTED IN THE BRIEF ARREST OF HUNDREDS AND THE FATAL SHOOTING OF ONE DEMONSTRATOR.

34. MOST MAJOR TRADE UNIONS REMAIN SUBJECT TO INTERVENTION AND, THEREFORE, ULTIMATE CONTROL BY APPOINTED GOVERNMENT REPRESENTATIVES. HOWEVER, IN LATE 1982 THE GOVERNMENT REMOVED MILITARY OVERSEERS FROM A HALF DOZEN LARGE UNIONS AND NAMED TRADE UNION LEADERS TO ASSUME THEIR CONTROL UNTIL UNION ELECTIONS ARE HELD. UNDER THE TERMS OF THE 1979 LABOR LAW, THE GOVERNMENT HAS OFFICIALLY RECOGNIZED APPROXIMATELY ONE-QUARTER OF THE NATION'S MORE THAN ONE THOUSAND UNIONS. THEY HAVE PROCEEDED TO ELECT NEW LEADERSHIP AND TO OPERATE WITHOUT DIRECT INTERFERENCE.

35. COLLECTIVE BARGAINING IS OFFICIALLY SUSPENDED. NEVERTHELESS, SOME FIRMS CHOOSE TO CONSULT WITH LABOR LEADERS ON PAY, BENEFITS, AND OTHER ISSUES. THE BAN ON STRIKES IS NOT NOW EFFECTIVELY ENFORCED, AND THEY UNCLASSIFIED

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OCCURRED WITH INCREASING FREQUENCY AFTER MID-YEAR. WHILE THE ADMINISTRATION OF GENERAL GALTIERI CHALLENGED LABOR DEMONSTRATIONS, THE BIGNONE GOVERNMENT HAS TOLERATED THEM, INCLUDING MASS, ANTI-GOVERNMENT RALLIES IN DOWNTOWN BUENOS AIRES IN OCTOBER AND DECEMBER, AND A HIGHLY EFFECTIVE, NON-VIOLENT GENERAL STRIKE ON DECEMBER 6, 1982. VIOLENCE DID BREAK OUT AT THE END OF THE DECEMBER 16, 1982 DEMONSTRATION, HOWEVER, AND ONE DEMONSTRATOR WAS KILLED.

36. MANY UNIONS MAINTAIN CLOSE TIES TO INTERNATIONAL LABOR BODIES AND PARTICIPATE IN INTERNATIONAL CONFERENCES, INCLUDING THE INTERNATIONAL LABOR ORGANIZATION (ILO). THE ILO CONSIDERS ARGENTINA TO BE IN VIOLATION OF ILO CONVENTION NO. 87 (FREEDOM OF ASSOCIATION) BECAUSE OF LIMITATIONS ON ASSOCIATION CONTAINED IN THE 1979 LAW AND LEGAL RESTRICTIONS ON STRIKES, COLLECTIVE BARGAINING, AND OTHER TRADE UNION RIGHTS.

37. C. FREEDOM OF RELIGION

BY CONSTITUTIONAL REQUIREMENT, THE PRESIDENT OF ARGENTINA MUST BE A MEMBER OF THE CATHOLIC CHURCH, TO WHICH AN

ESTIMATED 95 PERCENT OF ARGENTINES BELONG. RECENT GOVERNMENTS HAVE PUBLICLY AND VIGOROUSLY CONDEMNED RELIGIOUS PREJUDICE AND ALL OTHER FORMS OF DISCRIMINATION.

38. OTHER RELIGIONS MUST REGISTER WITH THE GOVERNMENT TO OBTAIN THE LEGAL RECOGNITION REQUIRED FOR THEIR CHURCHES TO OPERATE FREELY IN ARGENTINA. JEHOVAH'S WITNESSES ARE THE ONLY RELIGIOUS GROUP WHOSE PETITION FOR RECOGNITION, FILED IN 1981, HAS NOT BEEN GRANTED. EVEN SO, SINCE LATE UNCLASSIFIED

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1981, ARGENTINA'S APPROXIMATELY 42,000 WITNESSES HAVE BEEN PERMITTED TO ASSEMBLE WITHOUT PERMITS OR POLICE INTERFERENCE. PROBLEMS PREVIOUSLY EXPERIENCED WITH THE AUTHORITIES AND IN THE PUBLIC SCHOOL HAVE EASED SOMEWHAT. AT PRESENT ABOUT 300 WITNESSES, ALL ARGENTINE NATIONALS, ARE UNDER ARREST FOR REFUSAL TO ACCEPT COMPULSORY MILITARY SERVICE. THE USUAL PENALTY IS THREE TO FOUR YEARS OF SERVICE AT VARIOUS MILITARY INSTALLATIONS AROUND THE COUNTRY. CONDITIONS ARE NOT ONEROUS AND FURLOUGHS ARE GIVEN FOR AS MUCH AS A MONTH AT A TIME. A SUPREME COURT RULING IN 1981 HELD THAT WITNESS CHILDREN COULD NOT BE HELD RESPONSIBLE FOR THE TRAINING AND BELIEFS RECEIVED FROM THEIR PARENTS. PROBLEMS REMAIN FOR OLDER STUDENTS, BUT ARE REPORTED TO BE SUBSIDING. A JEHOVAH'S WITNESS CHURCH IN COMODORO RIVADAVIA (A COASTAL TOWN ABOUT 1,000 MILES SOUTHWEST OF BUENOS AIRES) WAS BOMBED IN NOVEMBER 1982. THERE WERE NO CASUALTIES.

39. ARGENTINA'S JEWISH COMMUNITY OF 300,000-450,000 PRACTICES ITS RELIGION WITHOUT OFFICIAL RESTRAINT. IT REPRESENTS AN IMPORTANT PART OF THE COUNTRY'S ECONOMIC AND CULTURAL LIFE, AND THE GOVERNMENT MAINTAINS GOOD RELATIONS WITH THE COMMUNITY. THERE IS NO EVIDENCE OF AN OFFICIAL POLICY OF ANTI-SEMITISM. OCCASIONAL INCIDENTS OF ANTI-SEMITISM, HOWEVER, CONTINUE TO OCCUR. IN LATE FEBRUARY 1982 A JEWISH CEMETERY WAS DESECRATED WITH SWASTIKAS. THE GOVERNMENT STRONGLY CONDEMNED THE VANDALISM, WITH PRESIDENT GALTIERI'S PERSONAL DENUNCIATION GIVEN WIDE DISTRIBUTION BY ALL THE NEWS MEDIA. JEWISH COMMUNITY LEADERS CALLED THE GOVERNMENT'S REPUDIATION OF ANTI-SEMITISM "UNPRECEDENTED" IN ITS FORCEFULNESS.

40. D. FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL, EMIGRATION, AND REPATRIATION

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41. INTERNAL AND FOREIGN TRAVEL AND EMIGRATION ARE BASICALLY UNENCUMBERED. PAROLED PEN PRISONERS ARE USUALLY RESTRICTED BY JUDGES TO THEIR MUNICIPALITY OF USUAL RESIDENCE FOR SIX TO NINE MONTHS; PERMISSION TO TRAVEL MUST BE RECEIVED FROM THE POLICE TO WHOM THE PAROLEES MUST REPORT PERIODICALLY. THERE ARE NO OTHER SIGNIFICANT RESTRICTIONS ON PAROLEES AND THERE ARE FEW, IF ANY, INSTANCES WHEN PAROLE IS REVOKED AND THE PERSON SENT BACK TO PRISON.

42. A SMALL NUMBER OF OFFICIALS OF THE CIVILIAN REGIME OUSTED IN 1976 ARE NOT PERMITTED TO LEAVE THE COUNTRY. IN MAY, 1982 THE GOVERNMENT ENDED THE PROBLEM OF ASYLEES IN LOCAL EMBASSIES BY GRANTING "SAFE CONDUCT" FOR PASSAGE TO MEXICO TO THE LAST ASYLEE, RESIDENT IN THE MEXICAN EMBASSY SINCE 1976.

43. FORMER PEN PRISONERS WHO WERE GRANTED THE OPTION TO LEAVE THE COUNTRY GENERALLY ARE BARRED FROM RETURNING. IN A RARE EXCEPTION IN FEBRUARY, A FORMER PEN PRISONER AND EXPELLEE WAS PERMITTED TO RETURN. OTHER PEN APPLICANTS FOR SELF-EXILE UNDER THE RIGHT OF OPTION ARE CAREFULLY SCREENED, AND MOST REQUESTS TO EMIGRATE HAVE BEEN DENIED. ONLY ONE PEN PRISONER WAS ALLOWED THE OPTION TO GO TO THE UNITED STATES IN 1982.

44. ARGENTINA HAS A CONSIDERABLE REFUGEE POPULATION, DATING FROM AS FAR BACK AS THE POST-WORLD WAR II PERIOD. IT INCLUDES EUROPEAN REFUGEES AND THOUSANDS OF LATIN AMERICANS WHO FLED TO ARGENTINA OVER THE YEARS. MOST OF THEM ENJOY LEGAL STATUS. THE REFUGEE POPULATION WAS SLIGHTLY AUGMENTED IN THE LATE 1970'S BY THE ADMISSION OF SEVERAL HUNDRED FAMILIES OF SOUTHEAST ASIA REFUGEES.

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THREE HUNDRED FOREIGNERS WERE NATIONALIZED AS ARGENTINE CITIZENS IN 1982.

45. E. FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS

ARGENTINA HAS BEEN RULED SINCE 1976 BY A JUNTA MADE UP OF THE COMMANDERS-IN-CHIEF OF THE ARMY, NAVY, AND AIR FORCE WHO SELECT A MILITARY OFFICER (USUALLY RETIRED) TO SERVE

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AS PRESIDENT OF THE NATION. THE JUNTA WAS DISBANDED FOR A PERIOD AFTER THE FALKLANDS/MALVINAS WAR BUT HAS BEEN RECONSTITUTED.

46. THE BIGNONE GOVERNMENT IS PUBLICLY COMMITTED TO HOLDING ELECTIONS IN LATE 1983 AND RESTORING CONSTITUTIONAL CIVILIAN GOVERNMENT BY MARCH 1984. A PRESIDENT, DEPUTIES AND SENATORS IN THE BICAMERAL LEGISLATURES ARE TO BE ELECTED, AS WELL AS PROVINCIAL GOVERNORS, MAYORS, LEGISLATORS, AND MUNICIPAL COUNCILS. SPECIFIC DATES HAVE NOT YET BEEN ESTABLISHED FOR THE 1983 ELECTIONS BUT PRESIDENT BIGNONE HAS STATED THAT THE ELECTIONS WILL BE HELD NOT LATER THAN THE FIRST SUNDAY IN NOVEMBER. THE POLITICAL PARTIES LAW ISSUED IN AUGUST 1982 IS INTENDED TO FACILITATE DEMOCRATIC INTRA-PARTY ELECTION AND PROCEDURES. SOME PARTIES HAVE CRITICIZED THE ROLE OF COURT APPOINTED TEMPORARY OVERSEERS IN INTERNAL PARTY AFFAIRS.

47. NATIONAL, PROVINCIAL AND MUNICIPAL ADMINISTRATION HAS BEEN LARGELY MADE CIVILIAN, WITH THE APPOINTMENT OF POLITICIANS AND TECHNICIANS TO MANY POSTS ASSUMED BY MILITARY OFFICERS AFTER THE 1976 COUP. IN 1982, NATIONAL GOVERNMENT POSTS WERE IN THE HANDS OF CIVILIANS, WITH THE EXCEPTION OF THE INTERIOR PORTFOLIO.

48. WOMEN PARTICIPATE FREELY IN POLITICS IN ARGENTINA, ONE OF ONLY THREE WESTERN HEMISPHERE NATIONS TO HAVE HAD UNCLASSIFIED

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A FEMALE HEAD OF GOVERNMENT MARIA ESTELLA MARTINEZ DE PERON, 1974-1976. OUTSIDE OF BUENOS AIRES AND OTHER MAJOR URBAN CENTERS, WOMEN ARE CONFINED TO A ROLE DEFINED BY ARGENTINE TRADITION. IN URBAN AREAS WHERE EDUCATIONAL AND ECONOMIC OPPORTUNITIES ARE SUPERIOR AND SOCIETY MORE OPEN TO MODERN TRENDS, WOMEN COMMONLY PARTICIPATE IN MOST PROFESSIONS. MARRIED WOMEN LIVING IN ARGENTINA MUST HAVE THE PERMISSION OF THEIR HUSBANDS TO TRAVEL ABROAD WITH THEIR MINOR CHILDREN, IF THE HUSBAND IS NOT ACCOMPANYING THEM.

49.

3. GOVERNMENT ATTITUDES REGARDING INTERNATIONAL AND NON-GOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATIONS OF HUMAN RIGHTS
ARGENTINA COOPERATES WITH BOTH THE UNITED NATIONS ON

SEPTEMBER REVIEWED ARGENTINE DEVELOPMENTS SINCE PUBLICATION OF THE REPORT COVERING ITS 1979 ON-SITE INSPECTION. THE REPORT HIGHLIGHTED ARGENTINA'S RENEWED COOPERATION WITH THE IAHRIC SINCE JUNE 1982 AND EMPHASIZED THE LIFTING OF RESTRAINTS ON CIVILIAN POLITICAL ACTIVITY. WHILE IT CRITICIZED CONTINUATION OF THE STATE OF SIEGE, THE COMMISSION NOTED THE GOVERNMENT'S INFREQUENT ESORT TO STATE OF SIEGE POWERS AND STATED THAT THE IAHRIC HAD RECEIVED NO REPORTS OF DISAPPEARANCES OR PEN DETENTIONS IN 1982. EQUALLY POSITIVE, ACCORDING TO THE REPORT, WAS THE JUDICIAL SYSTEM'S MORE ASSERTIVE EFFORT TO SAFEGUARD INDIVIDUAL RIGHTS. THE COMMISSION WAS CRITICAL OF THE GOVERNMENT'S FAILURE TO PROVIDE INFORMATION ON PAST DISAPPEARANCES.

50. THE INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC)
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MAINTAINED ITS PRESENCE IN ARGENTINA, VISITING POLITICAL PRISONERS. LIKE MOST OTHER INSTITUTIONS IN ARGENTINA, HOWEVER, ICRC'S PRIORITIES WERE TEMPORARILY SHIFTED BY THE WAR. THE PROTECTION OF THE CIVILIAN POPULATION ON THE ISLANDS AND, AFTER ARGENTINA'S DEFEAT, OVERSEEING THE TRANSFER OF ARGENTINE PRISONERS BACK TO THE MAINLAND, WERE PRIMARILY ICRC PROGRAMS.

51. PRIVATE HUMAN RIGHTS ORGANIZATIONS NUMBER EIGHT (THEIR SPANISH NAMES OR ACRONYMS ARE CITED PARENTHETICALLY): THE GRANDMOTHERS OF PLAZA DE MAYO (AUUELAS); THE PERMANENT ASSEMBLY OF HUMAN RIGHTS (APDH); THE CENTER FOR LEGAL AND SOCIAL STUDIES (CELS); FAMILIES OF THE DISAPPEARED/DETAINED FOR POLITICAL REASONS (FAMILIARES); THE ARGENTINE LEAGUE FOR THE RIGHTS OF MAN (LIGA); THE MOTHERS OF THE PLAZA DE MAYO (MADRES); THE ECUMENICAL MOVEMENT FOR HUMAN RIGHTS (MOVIMIENTO ECUMENICO); AND THE PEACE AND JUSTICE SERVICE FOR LATIN AMERICA (PAZ Y JUSTICIA).

52. THE PERMANENT ASSEMBLY FOR HUMAN RIGTHS WAS CREATED BEFORE THE 1976 MILITARY COUP IN RESPONSE TO THE ABUSES THAT FLOWED FROM THE CLIMATE OF VIOLENCE THEN PREVAILING. WITH A MEMBERSHIP DRAWN FROM ALL SECTORS OF ARGENTINE SOCIETY, IT COLLECTS AND DISSEMINATES INFORMATION TO SENSITIZE PUBLIC OPINION TO THE HUMAN RIGHTS QUESTION. THE ASSEMBLY COMPILED IN 1979 THE BEST-DOCUMENTED LIST OF ALLEGED DISAPPEARANCES, PROVIDING DATAON ABOUT 6,000 CASES. IT ALSO ADVISES AND ASSISTS

FAMILIES OF VICTIMS OF REPRESSION.

53. THE GROUP MOST WIDELY KNOWN NATIONALLY AND INTERNATIONALLY IS THE MOTHERS OF THE PLAZA DE MAYO. THE MOTHERS DEVELOPED LOOSELY AT FIRST AS A GROUP OF PEOPLE WHO IN 1976 BEGAN GATHERING AT GOVERNMENT HOUSE IN THE PLAZA DE MAYO TO INQUIRE INTO THE FATE OF THEIR FAMILY
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MEMBERS WHO WERE DETAINED AND/OR HAD DISAPPEARED. THEIR MEETINGS HAVE SINCE BEEN FORMALIZED IN SILENT VIGILS EVERY THURSDAY IN THE PLAZA.

54. THE CENTER FOR LEGAL AND SOCIAL STUDIES, FOUNDED IN 1978, IS THE NEWEST OF ARGENTINA'S HUMAN RIGHTS ORGANIZATIONS. AS BOTH A DATA-COLLECTING AND LEGAL ASSISTANCE AGENCY, IT PREPARES COURT ACTIONS IN CASES OF DETENTIONS AND DISAPPEARANCES, PROMOTES IMPROVEMENT IN CONDITIONS FOR POLITICAL PRISONERS, AND MAINTAINS ACTIVE CONTACT WITH FOREIGN HUMAN RIGHTS ORGANIZATIONS. THE CENTER, TOGETHER WITH THE MOTHERS, IS BELIEVED TO HAVE THE WIDEST CONNECTION WITH FOREIGN HUMAN RIGHTS INSTITUTIONS, SUCH AS THE UN AND OAS HUMAN RIGHTS COMMISSIONS.

55. HUMAN RIGHTS ORGANIZATIONS OPERATED WITH INCREASED EFFECTIVENESS IN 1982 DESPITE MINOR INCIDENTS OF HARASSMENT AND SURVEILLANCE. WITH THE GENERAL TREND TOWARD POLITICAL LIBERALIZATION, A NUMBER OF PROMINENT ORGANIZATIONS AND INDIVIDUALS BEGAN TO PURSUE THEMES FORMERLY ESPOUSED ALMOST EXCLUSIVELY BY HUMAN RIGHTS GROUPS. POLITICAL PARTIES, LABOR UNIONS, PROFESSIONAL ORGANIZATIONS, AND THE HIERARCHY OF THE CATHOLIC CHURCH HAVE ADOPTED SOME OF THE OBJECTIVES PIONEERED SINCE THE MID-1970'S BY THE MOTHERS OF THE PLAZA DE MAYO, THE PERMANENT ASSEMBLY FOR HUMAN RIGHTS, AND SIMILAR ORGANIZATIONS. IN THE MEANTIME, HUMAN RIGHTS GROUPS HAVE STEPPED UP THEIR ACTIVITIES AND EXPANDED THE SCOPE OF THEIR EFFORTS. THE MOTHERS' WEEKLY VIGILS IN THE PLAZA DE MAYO ARE BEING BROADENED INTO MARCHES TO OTHER CENTERS OF BUENOS AIRES, GIVING THEM AN EXPANDED PUBLIC PROFILE. HUMAN RIGHTS GROUPS HAVE ALSO TAKEN AN INCREASINGLY
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ACTIVE ROLE AT POLITICAL CONVENTIONS AND MEETINGS.

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ASSOCIATED ORGANIZATIONS ARE INCREASING THEIR ACTIVITIES IN THE CAPITAL AND THE PROVINCES, PROVIDING LEGAL AND SOCIAL ASSISTANCE SERVICES WITHOUT OFFICIAL HINDRANCE.

56. SOME OFFICERS AND MEMBERS OF THE MOTHERS OF THE PLAZA DE MAYO HAD DENIGRATING POSTERS HUNG ON THEIR HOMES WHILE THE PERMANENT ASSEMBLY FOR HUMAN RIGHTS DISCOVERED HIDDEN LISTENING DEVICES IN ITS HEADQUARTERS. OTHER HUMAN RIGHTS ACTIVISTS REPORTED RECEIVING ANONYMOUS THREATENING TELEPHONE CALLS.

57. AMNESTY INTERNATIONAL'S 1982 REPORT, COVERING 1981, STATED THAT THAT ORGANIZATION'S MAIN CONCERNS IN ARGENTINA "CONTINUED TO BE THE UNRESOLVED QUESTION OF THE 'DISAPPEARED' PRISONERS, AND ARBITRARY DETENTION WITHOUT TRIAL." THE FREEDOM HOUSE REPORT FOR 1982 CLASSIFIED ARGENTINA AS "NOT FREE," THE WASHINGTON OFFICE ON LATIN AMERICA'S 1982 REPORT ALSO CITED CONTINUING HUMAN RIGHTS PROBLEMS.

58.

4. ECONOMIC, SOCIAL, AND CULTURAL SITUATION

NOTWITHSTANDING A CURRENT HIGH RATE OF INFLATION, A YEAR-AND-A-HALF RECESSION, AND HIGH RATES OF UNEMPLOYMENT AND UNDER-EMPLOYMENT COMBINED (15 PERCENT OF A LABOR FORCE OF 11 MILLION), ARGENTINA'S POPULATION OF 27.7 MILLION ENJOYS A HIGH STANDARD OF LIVING FOR A DEVELOPING COUNTRY. PER CAPITA INCOME IS \$2,395 (1980); THE INFANT MORTALITY RATE, 40.8 PER 1,000 LIVE BIRTHS, (1981); AND POPULATION ACCESS TO SAFE WATER, 66 PERCENT (1975). THERE IS NO DISCRIMINATION IN THE AVAILABILITY OF FOOD, SHELTER, HEALTH, OR EDUCATION ON THE BASIS OF SEX, RELIGION, RACE, OR ETHNIC BACKGROUND.
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59. ALTHOUGH THERE WAS NO UNEMPLOYMENT INSURANCE AT THE END OF 1982, THE SUBJECT WAS BEING DISCUSSED BY THE GOVERNMENT. LAWS GOVERN HOW EMPLOYEES MAY BE DISMISSED. SEVERANCE PAY IS HIGH AND EMPLOYERS TEND TO RETAIN WORKERS USING TEMPORARY LAYOFFS WHERE POSSIBLE TO AVOID DISMISSALS. REAL WAGES DROPPED SUBSTANTIALLY DURING THE FIRST HALF OF 1982 DUE PARTLY TO A FREEZE IN PUBLIC SECTOR WAGES AND TO THE LENGTHY RECESSION. IN AUGUST-SEPTEMBER 1982, ACROSS-THE-BOARD WAGE INCREASES TENDED TO RAISE REAL WAGES. THERE ARE PROVISIONS FOR A

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MINIMUM WAGE, FAMILY ALLOWANCES, AND OTHER FRINGE BENEFITS; THESE HAVE ALSO RECENTLY BEEN INCREASED.

60. IN THIS LARGELY MIDDLE CLASS SOCIETY, 80 PERCENT OF THE POPULATION LIVES IN URBAN AREAS. MORE THAN 65 PERCENT OF THE POPULATION OWN THEIR HOMES. THERE IS AMPLE PROTECTION FOR PRIVATE PROPERTY OWNERSHIP. ALTHOUGH THERE MAY BE SOME MALNUTRITION DUE TO THE PROLONGED RECESSION AND UNEMPLOYMENT, THE AVERAGE ARGENTINE ENJOYS A HEALTHY, HIGH PROTEIN DIET (126 PERCENT OF DAILY CALORIC REQUIREMENTS). THE ADULT LITERACY RATE IS 94 PERCENT, AND PRIMARY AND SECONDARY SCHOOLING IS FREE AND WIDELY AVAILABLE. IN THE PROVINCE OF BUENOS AIRES WHERE APPROXIMATELY ONE-THIRD OF THE NATION'S POPULATION RESIDES, 93.6 PERCENT OF THE 12-YEAR OLD POPULATION WAS ATTENDING SCHOOL AT THE TIME OF THE
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TAGS: SHUM, AR
SUBJECT: 1982 HUMAN RIGHTS REPORT - FINAL VERSION

1. FOLLOWING IS THE FINAL VERSION OF THE 1982 HUMAN RIGHTS REPORT FOR ARGENTINA. HUMAN RIGHTS REPORTS ARE

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STILL EMBARGOED, HENCE POST IS REQUESTED NOT TO RELEASE
REPORT PENDING NOTIFICATION BY DEPARTMENT.

2. THE ARGENTINE ARMED FORCES HAVE HELD POWER SINCE 1976. THE MILITARY GOVERNMENT INSTITUTED MAJOR CHANGES, HOWEVER, IN 1982, EASING RESTRAINTS ON POLITICAL AND CIVIL LIBERTIES AND COMMITTING ITSELF TO ELECTIONS BY NOT LATER THAN NOVEMBER 1983, WITH THE RESTORATION OF A CONSTITUTIONAL GOVERNMENT SET FOR NOT LATER THAN MARCH 1984. THESE CHANGES OCCURRED IN THE WAKE OF SEVERE AND GROWING ECONOMIC PROBLEMS AND ARGENTINA'S DEFEAT IN THE FALKLANDS/MALVINAS CONFLICT. THEY FOLLOWED SIX YEARS OF UNCLASSIFIED

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MILITARY RULE, CHARACTERIZED BY THE USE OF HARSH MEASURES TO END TERRORISM AND CURB POLITICAL DISSENT, SEVERE LIMITATIONS ON POLITICAL ACTIVITY, AND THE FREQUENT LACK OF PROTECTION OF INDIVIDUAL RIGHTS. DURING THAT TIME, THE GOVERNMENT WAS UNABLE TO ESTABLISH A SOLID BASIS FOR ECONOMIC GROWTH OR A BASIC POLITICAL RESTRUCTURING.

3. IN JUNE 1982, PRESIDENT GALTIERI WAS REPLACED BY GENERAL (RET.) REYNALDO BIGNONE. THE NEW ADMINISTRATION LIFTED THE FORMAL BAN ON POLITICAL ACTIVITY ON JULY 1 AND IN AUGUST PROMULGATED A POLITICAL PARTIES LAW WHICH REQUIRED NEW REGISTRATION OF PARTY MEMBERS TO BE FOLLOWED BY INTERNAL PARTY ELECTIONS IN PREPARATION FOR THE NATIONAL ELECTIONS. TRADE UNIONS, WHILE CIRCUMSCRIBED BY GOVERNMENT INTERVENTION DATING FROM 1976, HAVE BEEN FREE TO FUNCTION IN MANY CASES AS THOUGH THERE WERE NO CONTROLS. LATE 1982 WITNESSED AN UPSURGE IN POLITICAL AND LABOR ACTIVITY. POLITICAL PARTIES (INCLUDING THE COMMUNISTS) STAGED LARGE RALLIES, HUMAN RIGHTS GROUPS HELD DEMONSTRATIONS, AND LABOR ORGANIZED A SUCCESSFUL NATIONAL STRIKE. AT LEAST 100,000 PEOPLE, ORGANIZED BY POLITICAL, UNION, AND HUMAN RIGHTS GROUPS, TOOK PART IN A 'MARCH FOR DEMOCRACY' IN DOWNTOWN BUENOS AIRES IN MID-DECEMBER. THE OVERALL RESULT HAS BEEN A MAJOR CHANGE IN THE EXERCISE OF POLITICAL RIGHTS DURING THE SECOND HALF OF 1982.

.. THE PRESS ALSO HAS BEEN LESS INHIBITED IN 1982 THAN AT ANY TIME SINCE THE EARLY 1970S. CRITICISM OF GOVERNMENT POLICIES AND PROGRAMS BECAME A MATTER OF COURSE. FOUR SMALL PUBLICATIONS WERE CLOSED BRIEFLY LATE IN THE YEAR, BUT OVERALL FREEDOM TO DISCUSS SENSITIVE

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POLITICAL AND SOCIAL QUESTIONS EXPANDED MARKEDLY. IN THE ELECTRONIC MEDIA, SENSITIVE SUBJECTS HAVE BEEN OPENLY TREATED ON RADIO, BUT LESS SO ON STATE-OWNED TELEVISION.

5. THE JUDICIAL SYSTEM DISPLAYED GREATER INDEPENDENCE IN 1982. THE SUPREME COURT OVERTURNED A MILITARY COURT RULING FOR THE FIRST TIME. LOWER COURTS HAVE BEEN INCREASINGLY RECEPTIVE TO HABEAS CORPUS PETITIONS FILED ON BEHALF OF PRISONERS HELD UNDER STATE OF SIEGE POWERS. THE COURTS RULED IN FAVOR OF THREE OF THE PERIODICALS CLOSED BY THE AUTHORITIES. PRISON CONDITIONS CONTINUED TO DRAW CRITICISM FROM INMATES AND THEIR FAMILIES. HOWEVER, EARLIER REFORMS WERE REINFORCED; COURTS HAVE HEARD PRISONER-ABUSE CASES AND PUNISHED GUARDS FOUND GUILTY.

6. DESPITE THE SIGNIFICANT EXPANSION OF CIVIL AND POLITICAL LIBERTIES, INCIDENTS OF VIOLENCE OCCURRED IN 1982 WHICH MANY BELIEVED TO HAVE BEEN PROVOKED BY ELEMENTS LINKED TO THE STATE SECURITY ORGANIZATIONS BUT OPERATING WITHOUT THE SANCTION OF THE GOVERNMENT. THESE UNCONTROLLED ELEMENTS WERE WIDELY HELD RESPONSIBLE FOR

HARASSMENT AND THREATS AGAINST HUMAN RIGHTS ACTIVISTS AND FOREIGN AND ARGENTINE JOURNALISTS, FOR THE ABDUCTION OF SEVERAL PEOPLE WHO LATER REAPPEARED, AND FOR TWO MURDERS. SOME OBSERVERS INTERPRETED THESE EFFORTS AS ATTEMPTS BY DISSIDENTS WITHIN, OR ASSOCIATED WITH, THE SECURITY FORCES TO UNDERMINE THE GOVERNMENT'S MOVEMENT TOWARD CONSTITUTIONAL AND CIVILIAN RULE.

7. THERE WERE NO REPORTED DISAPPEARANCES IN 1982. HUMAN RIGHTS GROUPS AND SOME POLITICAL PARTIES HAVE CONCENTRATED ON EFFORTS TO FORCE AN ACCOUNTING FOR PAST DISAPPEARANCES WHICH NUMBERED IN THE THOUSANDS, INCLUDING APPROPRIATE PUNISHMENT OF THOSE RESPONSIBLE. THESE
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EFFORTS GAINED IMPETUS WHEN THE PRESS REPORTED THAT UNMARKED GRAVESITES CONTAINED THE BODIES OF PERSONS WHO DISAPPEARED DURING THE MID-TO-LATE 1970S. GIVEN THE WIDESPREAD BELIEF THAT MANY OF THE DISAPPEARED WERE KILLED WITH THE COMPLICITY OF OFFICIAL SECURITY

PERSONNEL, THIS ISSUE IS A HIGHLY SENSITIVE AND IMPORTANT ONE FOR THE RETURN TO DEMOCRATIC GOVERNMENT. THE GOVERNMENT INITIATED EFFORTS TO TRY TO REACH AN UNDERSTANDING WITH FUTURE CIVILIAN LEADERS ON THIS ISSUE PRIOR TO THE DEPARTURE OF THE MILITARY GOVERNMENT. BY LATE 1982, THE GOVERNMENT IS BELIEVED PRIVATELY TO HAVE PROVIDED INFORMATION TO FAMILY MEMBERS REGARDING DEATHS AND BURIAL SITES IN APPROXIMATELY ONE FIFTH OF THE CASES OF PERSONS WHOSE DISAPPEARANCE WAS REPORTED TO THE GOVERNMENT BETWEEN 1974 AND 1982.

8. THE GOVERNMENT ACCELERATED RELEASES OF STATE OF SIEGE POLITICAL PRISONERS, HELD UNDER SPECIAL STATE OF SIEGE POWERS, FREEING APPROXIMATELY 425 IN 1982. THE NUMBER OF SUCH PRISONERS WAS REDUCED TO 243 AT THE END OF THE YEAR.

9. ARGENTINE HUMAN RIGHTS ORGANIZATIONS HAVE EXPERIENCED GREATER FREEDOM OF ACTION, PARTICULARLY SINCE THE INAUGURATION OF THE BIGNONE ADMINISTRATION. IN AN IMPRESSIVE SHOWING, ABOUT 10,000 PEOPLE MARCHED IN DOWNTOWN BUENOS AIRES IN OCTOBER 1982 AND THEN A MUCH LARGER MARCH TOOK PLACE IN DECEMBER. THE RELAXATION OF RESTRICTIONS ON CIVIL AND POLITICAL LIBERTIES HAS PERMITTED GREATER PRESS ATTENTION TO THE ACTIVITIES OF HUMAN RIGHTS GROUPS AND ENCOURAGED PROMINENT ARGENTINE FIGURES TO LEND THEIR SUPPORT. URGED ON BY HUMANITARIAN GROUPS, MANY POLITICAL LEADERS HAVE ENDORSED OBJECTIVES OF THE HUMAN RIGHTS MOVEMENT.
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10. THE ARGENTINE GOVERNMENT HAS ADOPTED VARYING ECONOMIC POLICIES SINCE 1976 BUT THE MAJOR THRUST HAS

BEEN TOWARD GREATER RELIANCE ON THE FREE MARKET, ALBEIT WITHIN A CONTEXT OF EXTENSIVE EXISTING STATE CONTROLS. ARGENTINA WAS BESET BY A NUMBER OF SEVERE ECONOMIC PROBLEMS IN 1982 INCLUDING HIGH LEVELS OF INFLATION, A DEEPENING RECESSION, WHICH REDUCED REAL WAGES, AND INCREASED UNEMPLOYMENT.

11.

1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING FREEDOM FROM:

A. KILLING

THE TWO REPORTED KILLINGS FOR APPARENT POLITICAL MOTIVES

WERE THOSE OF ANA MARIA MARTINEZ, SAID TO BE ACTIVE IN THE TROTSKYITE SOCIALIST WORKERS PARTY, AND MARCELO DUPONT, WHOSE BROTHER CLAIMS HE HAS EVIDENCE IN A CASE OF MURDER THAT OCCURRED IN 1978. NEITHER CASE HAS BEEN RESOLVED. MANY OBSERVERS BELIEVE THAT THESE TWO MURDERS MAY HAVE BEEN PERPETRATED BY INDIVIDUALS WITH LINKS TO TO THE POLICE OR MILITARY OPERATING OUTSIDE THE CONTROL OF THE GOVERNMENT. THE GOVERNMENT HAS PROMISED THOROUGH INVESTIGATIONS.

12. B. DISAPPEARANCE

THERE WAS NO EVIDENCE OF DISAPPEARANCES IN 1982. VARIOUS HUMAN RIGHTS ORGANIZATIONS HAVE REPORTED SOME PERSONS AS DISAPPEARED. IN ALL TWELVE INSTANCES CITED, PERSONS ABDUCTED, DETAINED, OR TEMPORARILY MISSING RETURNED HOME OR WERE RELEASED WITHIN SEVERAL DAYS OF THEIR INITIAL ABSENCE, WITH THE EXCEPTION OF ONE INDIVIDUAL WHO REMAINS UNCLASSIFIED

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IN ACKNOWLEDGED DETENTION ON CRIMINAL CHARGES. ACCORDING TO HUMAN RIGHTS ORGANIZATIONS, SOME ABDUCTORS REPORTEDLY TOLD THEIR VICTIMS THAT THEY REPRESENTED A STATE AUTHORITY, FROM WHICH THE HUMANRIGHTS ORGANIZATIONS INFERRED OFFICIAL COMPLICITY. THE GOVERNMENT DISCLAIMED RESPONSIBILITY FOR THE ABDUCTIONS.

13. DEMANDS THAT THE AUTHORITIES ACCOUNT FOR THE LARGE NUMBER OF PEOPLE WHO DISAPPEARED IN THE PAST BECAME A MAJOR NATIONAL ISSUE IN 1982. CONSIDERABLE DISAGREEMENT REMAINS AS TO HOW MANY PERSONS DISAPPEARED. THE MOST CAREFULLY DOCUMENTED LIST, COMPILED BY THE ARGENTINE PERMANENT ASSEMBLY FOR HUMAN RIGHTS, CONTAINS APPROXIMATELY 6,000 NAMES. OTHER ESTIMATES ARE MUCH HIGHER. IT IS GENERALLY BELIEVED THAT MOST OF THOSE WHO

DISAPPEARED OVER THE YEARS ARE DEAD, MANY AS A RESULT OF ACTIONS BY SECURITY FORCES BUT ALSO SOME AT THE HANDS OF TERRORIST GROUPS.

14. IN LATE 1982, THE PRESS, POLITICAL PARTIES, AND HUMAN RIGHTS ORGANIZATIONS JOINED IN DEMANDING INVESTIGATIONS OF UNMARKED GRAVES RECENTLY IDENTIFIED AND THOUGHT TO CONTAIN THE BODIES OF SOME OF THE DISAPPEARED AND CALLING FOR LEGAL ACTION AGAINST THOSE RESPONSIBLE. SEVERAL FOREIGN GOVERNMENTS ALSO RENEWED ACTIVE EFFORTS IN LATE 1982 TO SEEK AN ACCOUNTING OF THEIR NATIONALS OR

DESCENDANTS REPORTED AS DISAPPEARED. THE ARGENTINE GOVERNMENT HAS RECEIVED APPROXIMATELY 6,600 REQUESTS FOR INFORMATION ON THE WHEREABOUTS OF DISAPPEARED PERSONS AND IS BELIEVED TO HAVE PROVIDED INFORMATION TO FAMILY MEMBERS ON THE DEATHS AND IN SOME INSTANCES THE LOCATION OF THE REMAINS OF THE DISAPPEARED IN ABOUT 1,450 CASES.
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ON SEPTEMBER 29 THE MINISTER OF INTERIOR PUBLICLY SAID THE GOVERNMENT WILL CONTINUE TO COLLECT INFORMATION ABOUT DISAPPEARANCE CASES AND PROVIDE IT TO RELATIVES.

15. C TORTURE

THE ARGENTINE CONSTITUTION PROHIBITS THE USE OF TORTURE, BUT ITS USE HAS BEEN NOTED IN BOTH HUMAN RIGHTS AND COMMON CRIMINAL CASES. THE COURTS HAVE SOUGHT TO CURB ITS USE. MOST OF THE PERSONS REPORTED AS TEMPORARILY MISSING IN 1982 CLAIMED TO HAVE BEEN SUBJECTED TO TORTURE BY ELECTRIC SHOCK OR THE PLACEMENT OF PLASTIC BAGS OVER THEIR HEADS CAUSING SUFFOCATION. IN MARCH, THE BUENOS AIRES LAWYERS' ASSOCIATION DENOUNCED WHAT IT REFERRED TO AS THE CONTINUING, SYSTEMATIC USE OF TORTURE BY SECURITY OFFICIALS. THE LAWYERS' ASSOCIATION OF SALTA PROVINCE AT MID-YEAR CHARGED THAT INMATES AT THE LOCAL PENITENTIARY WERE TORTURED AND BRUTALIZED REGULARLY BY GUARDS. IN OCTOBER, FOUR POLICEMEN WERE ARRESTED BY JUDICIAL ORDER ON CHARGES OF TORTURING CRIMINAL SUSPECTS. THE SUPREME COURT IN NOVEMBER ORDERED AN INVESTIGATION INTO A JUDGE'S CONDUCT IN CONNECTION WITH ALLEGATIONS THAT SHE AND OTHER JUDGES HAD WITNESSED PRISONERS BEING TORTURED BY SECURITY FORCES, AS REPORTED BY A JOURNALIST IN AN ARTICLE PUBLISHED IN A DAILY NEWSPAPER IN OCTOBER.

16. ALLEGATIONS OF POLICE BRUTALITY CONTINUE TO APPEAR. BOTH THE PRESS AND THE GOVERNMENT HAVE DENOUNCED CASES OF PRISONER ABUSE AND ENCOURAGED JUDICIAL INVESTIGATIONS. IN FEBRUARY, AS A RESULT OF A COURT INVESTIGATION, 12 POLICE OFFICERS WERE TRIED FOR BEATING A DETAINEE WHO SUBSEQUENTLY DIED OF HIS INJURIES. IN JULY, A FEDERAL

JUDGE SENTENCED A PRISON GUARD TO THREE YEARS IMPRISONMENT FOR BEATING SEVERAL INMATES AT CASEROS PENITENTIARY. COURT ACTION WAS INITIATED AGAINST SEVEN
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POLICE OFFICERS IN CORDOBA PROVINCE AND SIX IN MENDOZA, ALL CHARGED WITH ABUSE OF PRISONERS, BUT NO VERDICTS HAVE BEEN RENDERED YET.

17. FOLLOWING STRONG EDITORIAL CRITICISM OF TORTURE AND POLICE BRUTALITY, MINISTER OF INTERIOR RESTON ON SEPTEMBER 10, 1982 ORDERED PROVINCIAL GOVERNORS TO TAKE STEPS TO ELIMINATE THE USE OF TORTURE OR BRUTALITY BY PROVINCIAL AND MUNICIPAL POLICE AND TO PREVENT GENERAL MISTREATMENT OF PRISONERS. THE MINISTER ORDERED SEVERE MEASURES TAKEN AGAINST OFFICERS GUILTY OF EXCESSES. THE SUPREME COURT OVERTURNED A LOWER COURT'S CONVICTION OF AN INDIVIDUAL ON THE GROUNDS THAT HIS CONFESSION WAS OBTAINED THROUGH TORTURE.

18. D. CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT

THE GOVERNMENT CONTINUED IN 1982 IMPLEMENTING REFORMS INITIATED IN 1980 TO IMPROVE PRISON CONDITIONS FOR THOSE DETAINED ON SECURITY GROUNDS. THERE WAS GENERAL AGREEMENT THAT TREATMENT OF PERSONS DETAINED FOR OTHER THAN COMMON CRIMES IMPROVED MARKEDLY, INCLUDING ACCELERATION OF STATE OF SIEGE PRISONER RELEASES IN 1981 AND 1982. SOME OF THOSE RECENTLY RELEASED SAY THE GREATEST IMPROVEMENT IN CONDITIONS BEGAN FOLLOWING THE FALKLANDS/MALVINAS WAR. THE INTERNATIONAL COMMITTEE OF THE RED CROSS HAS FREE ACCESS TO PRISONERS TO CONDUCT INSPECTIONS. APPLICATION OF THE TEST OF REASONABLENESS TO THE SEVERITY OF SENTENCES CONTINUED TO BE A FACTOR IN THE GREATER ROLE PLAYED BY THE COURTS IN GRANTING HABEAS CORPUS RULINGS IN THE CASE OF PRISONERS HELD FOR SECURITY REASONS.

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19. HUMAN RIGHTS ORGANIZATIONS CONTINUE TO MAINTAIN, HOWEVER, THAT POLITICAL PRISONERS ARE CONSISTENTLY TREATED MORE HARSHLY THAN OTHER INMATES. ALLEGEDLY, STRICTER VIGILANCE, LIMITED FACILITIES FOR EXERCISE AND REST, AND INADEQUATE MEDICAL CARE LEAD TO GREATER PSYCHOLOGICAL AND PHYSICAL STRAINS THAN IS THE CASE FOR COMMON PRISONERS. ONE SUICIDE OF A PRISONER HELD FOR SECURITY REASONS (JORGE TOLEDO IN CASEROS PRISON) WAS REPORTED IN JUNE 1982.

20. E. ARBITRARY ARREST AND IMPRISONMENT

THE ARGENTINE PENAL CODE, PROMULGATED IN 1924, GIVES THE POLICE AND COURTS BROAD AUTHORITY TO DETAIN PERSONS AND HOLD THEM INCOMMUNICADO FOR UP TO EIGHT DAYS. EVEN IN THE CASE OF MINOR OFFENSES, THE HOLDING OF SUSPECTS INCOMMUNICADO FOR A FEW DAYS IS COMMON. APART FROM THIS AUTHORITY, THE CONSTITUTION CONFERS POWER ON THE EXECUTIVE BRANCH TO DETAIN AND HOLD PRISONERS UNDER A STATE OF SIEGE; ONE HAS BEEN IN EFFECT IN ARGENTINA SINCE NOVEMBER 1974. (BOTH THE STATE OF SIEGE POWERS AND THE PRISONERS DETAINED UNDER THEM ARE CHARACTERIZED WITH THE WIDELY KNOWN ACRONYM PEN, "PODER EJECUTIVO NACIONAL"). THERE IS NO TIME LIMIT FOR HOLDING PEN PRISONERS, BUT THEY HAVE THE NOMINAL CONSTITUTIONAL RIGHT TO CHOOSE FOREIGN EXILE IN LIEU OF CONTINUED IMPRISONMENT. SINCE 1978 NEARLY 1,000 PEN PRISONERS HAVE BEEN ALLOWED TO EXERCISE THIS OPTION. OVER 50 FORMER PEN PRISONERS, PLUS MORE THAN 40 FAMILY MEMBERS, HAVE OBTAINED REFUGEE STATUS IN THE UNITED STATES; THE LAST PEN PRISONER TO RECEIVE PERMISSION TO TRAVEL TO THE UNITED STATES ARRIVED IN NOVEMBER 1981.

21. FROM 1974 TO 1981, OVER 8,700 PERSONS SUSPECTED OF TERRORISM OR SUBVERSION WERE DETAINED UNDER PEN POWERS, UNCLASSIFIED

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ACCORDING TO THE MINISTRY OF INTERIOR. TWO PERSONS WHO WERE FUGITIVES SINCE THE MILITARY COUP AND EMERGED IN LATE 1982 WERE DETAINED UNDER PEN POWERS BUT WERE LATER RELEASED. DURING 1982, APPROXIMATELY 425 PEN PRISONERS WERE RELEASED, MOSTLY ON PAROLE. ACCORDING TO THE MINISTRY OF INTERIOR, AS OF THE END OF 1982 THERE WERE 101 PEN PRISONERS HELD WITHOUT TRIAL OR AFTER BEING ACQUITTED OR HAVING COMPLETED THEIR SENTENCES. ANOTHER 59 INDIVIDUALS WERE IN TRIAL STATUS, AND 83 WERE SERVING SENTENCES IMPOSED BY THE CIVILIAN COURTS. ANOTHER 345 INDIVIDUALS, DESCRIBED BY THE MINISTRY OF INTERIOR AS SUBVERSIVES, WERE DETAINED UNDER ORDINARY CIVILIAN OR MILITARY PENAL CODES (I.E., NOT PEN POWERS), WERE CONVICTED AND WERE SERVING THEIR SENTENCES. IN LATE DECEMBER 1982, INTERIOR MINISTER RESTON SAID THAT NO PEN PRISONERS WOULD BE HELD IN PEN STATUS BY THE END OF 1983.

22. F. DENIAL OF FAIR PUBLIC TRIAL

PERSONS ACCUSED OF SUBVERSION OR TERRORISM MAY BE TRIED IN EITHER CIVILIAN OR MILITARY COURTS. THE ARGENTINE CIVILIAN PENAL CODE PROVIDES FOR OPEN TRIALS AND RIGHTS TO

DEFENSE. DESPITE SUCH GUARANTEES, DEFENDANTS CAN BE DENIED ACCESS TO EVIDENCE AGAINST THEM, AND MOST OF THE PROCESS MAY BE CONDUCTED IN WRITTEN RATHER THAN ORAL FORM, A PRACTICE COMMON IN MANY LATIN AMERICAN LEGAL

SYSTEMS. MILITARY TRIBUNALS TRYING CIVILIANS ACCUSED OF INTERNAL SECURITY VIOLATIONS CONDUCT THEIR PROCEEDINGS IN SECRET. DEFENDANTS HAVE A MILITARY DEFENSE COUNSEL, USUALLY NOT A LAWYER, AND ARE NORMALLY DENIED ACCESS TO EVIDENCE AGAINST THEM. THERE DO NOT APPEAR TO HAVE BEEN ANY MILITARY TRIALS OF CIVILIANS IN 1982.

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23. THE CIVILIAN JUDICIARY DISPLAYED INCREASING INDEPENDENCE IN 1982. IN FEBRUARY, THE SUPREME COURT, IN AN UNPRECEDENTED RULING, OVERTURNED A MILITARY COURT'S CONVICTION OF A MAN CHARGED WITH BELONGING TO AN ILLEGAL ORGANIZATION AND ORDERED A RETRIAL BY A LOWER CIVIL COURT. ALL RULINGS BY LOWER COURTS, CIVILIAN AND MILITARY, MAY BE APPEALED TO THE SUPREME COURT, WHICH IN 1982 SHOWED ITSELF INCREASINGLY DISPOSED TO ACCEPT SUCH APPEALS. IN AUGUST, THE SUPREME COURT TOOK ISSUE WITH A RULING OF THE ARMED FORCES' HIGHEST TRIBUNAL, THE COUNCIL OF WAR, CLAIMING THE MILITARY COURT WAS "NOT COMPETENT" TO TRY AND SENTENCE AN INDIVIDUAL FOR SUBVERSIVE ASSOCIATION. THE PERSON CONCERNED WAS RELEASED, AS ORDERED BY THE COURT.

24. THE HIGH COURT ALSO BECAME MORE ACTIVE IN RESPONDING TO REQUESTS FOR WRITS OF HABEAS CORPUS FILED ON BEHALF OF INDIVIDUALS HELD ON SECURITY GROUNDS. LOWER CIVILIAN COURTS LIKEWISE HAVE STEPPED UP THEIR CONSIDERATION OF PEN-RELATED HABEAS CORPUS PETITIONS. A DOCTRINE ADVANCED IN AN AUGUST FEDERAL COURT DECISION -- THAT "CITIZENS CAN NO LONGER BE DEPRIVED OF THEIR FREEDOM FOR SECRET REASONS" -- APPEARED INCREASINGLY TO INFLUENCE LOWER COURT RULINGS. IN NOVEMBER 1982 THE SUPREME COURT DECIDED TO INVESTIGATE ALLEGATIONS THAT THE COURT MORGUE ILLEGALLY CARRIED OUT AUTOPSIES AND ISSUED IMPROPER DEATH CERTIFICATES FOR PRISONERS REPORTEDLY KILLED IN THE LATE 1970S BY SECURITY FORCES.

25. G. INVASION OF THE HOME.

VARRANTS ARE REQUIRED BEFORE POLICE MAY ENTER PRIVATE PREMISES WITHOUT THE OWNER'S PERMISSION. THESE ARE ISSUED BY A JUDGE ON THE SHOWING BY POLICE OF PROBABLE

CAUSE. LIKE OTHER RIGHTS, PROTECTION OF THE HOME HAS
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BEEN SUSPENDED BY THE STATE OF SIEGE. HOWEVER, THERE
WERE NO REPORTS IN 1982 OF SECURITY FORCES INVADING HOMES.

26.

2. RESPECT FOR CIVIL AND POLITICAL RIGHTS, INCLUDING:

A. FREEDOM OF SPEECH AND PRESS

CONSTITUTIONAL GUARANTEES OF THESE FREEDOMS HAVE BEEN
CIRCUMSCRIBED SINCE THE IMPOSITION OF A STATE OF SIEGE IN
1974. THE MOST RECENT TREND, WITH SOME EXCEPTIONS, HAS
BEEN TOWARD LIBERALIZATION, AND IT IS EXPECTED TO EXPAND
FURTHER AS THE PROCESS OF CIVILIAN RESTORATION UNFOLDS.
AS DOMESTIC POLITICAL COMPETITION HAS INTENSIFIED AND
FOCUSED ON ELECTIONS, RESTRAINTS ON MEDIA AND FULLER
EXPRESSION OF DISSENT HAVE LOOSENEED. PUBLISHED CRITICISM
OF THE MILITARY WAS A REGULAR MEDIA STAPLE BEFORE THE
JULY LIFTING OF THE BAN ON POLITICAL ACTIVITY, AND IT
SUBSEQUENTLY GREW MORE POINTED, WITH HUMAN RIGHTS
DEVELOPMENTS AND PARTICULARLY THE DISAPPEARED ISSUE
RECEIVING PROMINENT TREATMENT. POLITICAL FIGURES HIGHLY
CRITICAL OF THE GOVERNMENT APPEAR DAILY ON THE ELECTRONIC
MEDIA. EXTENSIVE TELEVISION COVERAGE OF ANTI-GOVERNMENT
LABOR RALLIES IN DECEMBER ILLUSTRATE THE NEW LIBERALIZED
ATMOSPHERE.

27. REMINDERS TO THE GOVERNMENT-OWNED RADIO AND
TELEVISION STATIONS CONCERNING SUBJECTS CONSIDERED
SENSITIVE BY THE GOVERNMENT ARE ISSUED PERIODICALLY. IN
NOVEMBER THE PRESS LEAKED AN APPARENTLY GENUINE
GOVERNMENT MEMORANDUM CONTAINING A LIST OF ISSUES THAT
TELEVISION STATIONS AND MOST RADIO STATIONS WERE NOT TO
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MENTION. THE ISSUES INCLUDED HUMAN RIGHTS GROUPS,
JOURNALISTIC COMMENTARY ON HUMAN RIGHTS, AND RELATED
ISSUES. PRINT AND NEWS MEDIA DO NOT APPEAR TO HAVE
RECEIVED DIRECT WARNINGS IN 1982 AND PROVIDE EXTENSIVE
COVERAGE OF THESE ISSUES. FROM OCTOBER TO DECEMBER,
HOWEVER, FOLLOWING SEVERAL INDIRECT UNHEEDED WARNINGS,
THE MILITARY JUNTA CLOSED FOUR PERIODICALS (THE FOURTH

WAS A SUCCESSOR TO ONE OF THE FIRST THREE) FOR "BRINGING DISREPUTE UPON THE ESSENTIAL INSTITUTION OF THE REPUBLIC." THREE APPEALED THE CLOSURES AND WON IN COURT. THE LARGEST MAGAZINE WAS REPUBLISHING BY MID-DECEMBER.

28. SOME JOURNALISTS REPORTED ANONYMOUS THREATS, HARASSMENT, AND SURVEILLANCE BECAUSE OF THEIR WRITINGS. DURING THE DECEMBER 16, 1982 ANTI-GOVERNMENT DEMONSTRATION, SOME JOURNALISTS AND PHOTOGRAPHERS WERE BEATEN BY POLICE. SEVERAL FOREIGN JOURNALISTS COVERING THE FALKLANDS/MALVINAS WAR WERE KIDNAPPED IN TWO SEPARATE INCIDENTS. THEY WERE ROBBED, HELD SEVERAL HOURS, AND STRIPPED BEFORE BEING RELEASED. MANY OBSERVERS BELIEVE THAT THIS WAS THE WORK OF EXTREMISTS ASSOCIATED WITH THE STATE SECURITY ORGANIZATIONS. THEN-PRESIDENT GALTIERI MET WITH THE JOURNALISTS TO OFFER PERSONAL APOLOGIES AND ASSURANCES OF PROTECTION. JOURNALISTS REQUESTING THEM WERE PROVIDED POLICE BODYGUARDS.

29. CENSORSHIP OF ARGENTINE AND FOREIGN LITERARY AND OTHER ARTISTIC WORKS DECLINED SIGNIFICANTLY IN 1982. FOREIGN BOOKS AND MAGAZINES IN THEIR ORIGINAL LANGUAGE ARE PRACTICALLY FREE OF CENSORSHIP, BUT SPANISH TRANSLATIONS ARE SUBJECTED TO THE SAME SCRUTINY AS WORKS BY ARGENTINES. HOWEVER, JACOBO TIMERMAN'S HIGHLY-CRITICAL AND CONTROVERSIAL BOOK ABOUT HIS DETENTION AND TORTURE IN ARGENTINA, "PRISONER WITHOUT A NAME, CELL WITHOUT A NUMBER", WAS PUBLISHED IN ARGENTINA
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UNDER A DIFFERENT TITLE) AND IS AVAILABLE IN SPANISH. CENSORSHIP OF FOREIGN FILMS FOR POLITICAL AND MORAL CONTENT IS ROUTINE, BUT CENSORS SHOWED INCREASING LENIENCY IN 1982. FILMS AUTHORIZED FOR SHOWING INCLUDED "THE HOUSE ON GARIBALDI STREET", ABOUT THE KIDNAPPING OF ADOLPH EICHMANN FROM BUENOS AIRES, AND "NORMA RAE", WHICH PRESENTED LAOOR UNION ACTIVISM ATTRACTIVELY. SIMILARLY, DRAMA PRODUCTIONS ARE AGAIN DEALING WITH SENSITIVE POLITICAL ISSUES. THE "OPEN THEATER" STAGED A SERIES IN BUENOS AIRES THAT INCLUDED SEVERAL HIGHLY POLITICAL PLAYS. A CELEBRATED ARGENTINE FOLK SINGER, FORMERLY PROSCRIBED FOR COMMUNIST SYMPATHIES, WAS ALLOWED TO RETURN FROM EXILE TO PURSUE HER CAREER.

30. THERE ARE STILL RESTRICTIONS ON ACADEMIC FREEDOM IN ARGENTINA. AT THE UNIVERSITY LEVEL, THERE IS AN

OFFICIALLY PROMULGATED LIST OF ACTIVITIES, TOPICS, AND TEXTS WHICH ARE BANNED FROM CLASSROOMS. CONTROVERSY HAS ALSO BEEN SPARKED BY THE SELECTION CRITERIA IMPOSED BY THE GOVERNMENT FOR THE APPOINTMENT OF UNIVERSITY PROFESSORS. AT THE ELEMENTARY AND SECONDARY LEVELS, SUBJECTS AND TEXTS ARE RIGOROUSLY PRESCRIBED BY THE AUTHORITIES.

31. THERE ARE REPORTS THAT BOTH WIRETAPPING AND LETTER OPENING BY THE AUTHORITIES HAVE TAKEN PLACE IN ARGENTINA DURING 1982.

32. B. FREEDOM OF PEACEFUL ASSEMBLY AND ASSOCIATION

UNTIL THE LIFTING OF THE BAN ON POLITICAL ACTIVITY AND PROMULGATION OF THE POLITICAL PARTIES LAW IN AUGUST, PUBLIC MEETINGS WERE RESTRICTED TO ENCLOSED, ROOFED PREMISES, AND THEN ONLY WITH PRIOR PERMISSION OF THE UNCLASSIFIED

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AUTHORITIES. SINCE THEN, ALL GROUPS AND PARTIES, EXCEPT RADICAL ORGANIZATIONS OUTLAWED FOR ESPOUSING VIOLENCE, HAVE BEEN FREE TO ORGANIZE AND ASSEMBLE. MAJOR RALLIES HAVE BEEN HELD BY VARIOUS POLITICAL PARTIES, INCLUDING THE COMMUNIST PARTY.

33. DESPITE MILITARY INTERVENTION IN 1976, LABOR UNIONS REMAIN A POWERFUL ECONOMIC AND POLITICAL FORCE. APPROXIMATELY ONE-THIRDOF THE WORK FORCE IS UNIONIZED, MOSTLY URBAN, INDUSTRIAL LABORERS. THE UNIONS GENERALLY OPPOSE THE MILITARY GOVERNMENT, ESPECIALLY ITS ECONOMIC AND SOCIAL POLICIES. SINCE MID-YEAR, THE GOVERNMENT HAS RESPONDED TO UNION DEMANDS AND DEMONSTRATIONS WITH TOLERANCE AND SOMETIMES WITH WAGE INCREASES AND OTHER CONCESSIONS. THIS CONTRASTS WITH A MARCH 30, 1982 CRACKDOWN ON DEMONSTRATING LABOR GROUPS THAT RESULTED IN THE BRIEF ARREST OF HUNDREDS AND THE FATAL SHOOTING OF ONE DEMONSTRATOR.

34. MOST MAJOR TRADE UNIONS REMAIN SUBJECT TO INTERVENTION AND, THEREFORE, ULTIMATE CONTROL BY APPOINTED GOVERNMENT REPRESENTATIVES. HOWEVER, IN LATE 1982 THE GOVERNMENT REMOVED MILITARY OVERSEERS FROM A HALF DOZEN LARGE UNIONS AND NAMED TRADE UNION LEADERS TO ASSUME THEIR CONTROL UNTIL UNION ELECTIONS ARE HELD. UNDER THE TERMS OF THE 1979 LABOR LAW, THE GOVERNMENT HAS OFFICIALLY RECOGNIZED APPROXIMATELY ONE-QUARTER OF THE

NATION'S MORE THAN ONE THOUSAND UNIONS. THEY HAVE PROCEEDED TO ELECT NEW LEADERSHIP AND TO OPERATE WITHOUT DIRECT INTERFERENCE.

35. COLLECTIVE BARGAINING IS OFFICIALLY SUSPENDED. NEVERTHELESS, SOME FIRMS CHOOSE TO CONSULT WITH LABOR LEADERS ON PAY, BENEFITS, AND OTHER ISSUES. THE BAN ON STRIKES IS NOT NOW EFFECTIVELY ENFORCED, AND THEY UNCLASSIFIED

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OCCURRED WITH INCREASING FREQUENCY AFTER MID-YEAR. WHILE THE ADMINISTRATION OF GENERAL GALTIERI CHALLENGED LABOR DEMONSTRATIONS, THE BIGNONE GOVERNMENT HAS TOLERATED THEM, INCLUDING MASS, ANTI-GOVERNMENT RALLIES IN DOWNTOWN BUENOS AIRES IN OCTOBER AND DECEMBER, AND A HIGHLY EFFECTIVE, NON-VIOLENT GENERAL STRIKE ON DECEMBER 6, 1982. VIOLENCE DID BREAK OUT AT THE END OF THE DECEMBER 16, 1982 DEMONSTRATION, HOWEVER, AND ONE DEMONSTRATOR WAS KILLED.

36. MANY UNIONS MAINTAIN CLOSE TIES TO INTERNATIONAL LABOR BODIES AND PARTICIPATE IN INTERNATIONAL CONFERENCES, INCLUDING THE INTERNATIONAL LABOR ORGANIZATION (ILO). THE ILO CONSIDERS ARGENTINA TO BE IN VIOLATION OF ILO CONVENTION NO. 87 (FREEDOM OF

ASSOCIATION) BECAUSE OF LIMITATIONS ON ASSOCIATION CONTAINED IN THE 1979 LAW AND LEGAL RESTRICTIONS ON STRIKES, COLLECTIVE BARGAINING, AND OTHER TRADE UNION RIGHTS.

37. C. FREEDOM OF RELIGION

BY CONSTITUTIONAL REQUIREMENT, THE PRESIDENT OF ARGENTINA MUST BE A MEMBER OF THE CATHOLIC CHURCH, TO WHICH AN ESTIMATED 95 PERCENT OF ARGENTINES BELONG. RECENT GOVERNMENTS HAVE PUBLICLY AND VIGOROUSLY CONDEMNED RELIGIOUS PREJUDICE AND ALL OTHER FORMS OF DISCRIMINATION.

38. OTHER RELIGIONS MUST REGISTER WITH THE GOVERNMENT TO OBTAIN THE LEGAL RECOGNITION REQUIRED FOR THEIR CHURCHES TO OPERATE FREELY IN ARGENTINA. JEHOVAH'S WITNESSES ARE THE ONLY RELIGIOUS GROUP WHOSE PETITION FOR RECOGNITION, UNCLASSIFIED

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FILED IN 1981, HAS NOT BEEN GRANTED. EVEN SO, SINCE LATE 1981, ARGENTINA'S APPROXIMATELY 42,000 WITNESSES HAVE BEEN PERMITTED TO ASSEMBLE WITHOUT PERMITS OR POLICE INTERFERENCE. PROBLEMS PREVIOUSLY EXPERIENCED WITH THE AUTHORITIES AND IN THE PUBLIC SCHOOL HAVE EASED SOMEWHAT. AT PRESENT ABOUT 300 WITNESSES, ALL ARGENTINE NATIONALS, ARE UNDER ARREST FOR REFUSAL TO ACCEPT COMPULSORY MILITARY SERVICE. THE USUAL PENALTY IS THREE TO FOUR YEARS OF SERVICE AT VARIOUS MILITARY INSTALLATIONS AROUND THE COUNTRY. CONDITIONS ARE NOT ONEROUS AND FURLONGS ARE GIVEN FOR AS MUCH AS A MONTH AT A TIME. A SUPREME COURT RULING IN 1981 HELD THAT WITNESS CHILDREN COULD NOT BE HELD RESPONSIBLE FOR THE TRAINING AND BELIEFS RECEIVED FROM THEIR PARENTS. PROBLEMS REMAIN FOR OLDER STUDENTS, BUT ARE REPORTED TO BE SUBSIDING. A JEHOVAH'S WITNESS CHURCH IN COMODORO RIVADAVIA (A COASTAL TOWN ABOUT 1,000 MILES SOUTHWEST OF BUENOS AIRES) WAS BOMBED IN NOVEMBER 1982. THERE WERE NO CASUALTIES.

39. ARGENTINA'S JEWISH COMMUNITY OF 300,000-450,000 PRACTICES ITS RELIGION WITHOUT OFFICIAL RESTRAINT. IT REPRESENTS AN IMPORTANT PART OF THE COUNTRY'S ECONOMIC AND CULTURAL LIFE, AND THE GOVERNMENT MAINTAINS GOOD RELATIONS WITH THE COMMUNITY. THERE IS NO EVIDENCE OF AN OFFICIAL POLICY OF ANTI-SEMITISM. OCCASIONAL INCIDENTS OF ANTI-SEMITISM, HOWEVER, CONTINUE TO OCCUR. IN LATE FEBRUARY 1982 A JEWISH CEMETERY WAS DESECRATED WITH SWASTIKAS. THE GOVERNMENT STRONGLY CONDEMNED THE VANDALISM, WITH PRESIDENT GALTIERI'S PERSONAL DENUNCIATION GIVEN WIDE DISTRIBUTION BY ALL THE NEWS MEDIA. JEWISH COMMUNITY LEADERS CALLED THE GOVERNMENT'S REPUDIATION OF ANTI-SEMITISM "UNPRECEDENTED" IN ITS FORCEFULNESS.

40. D. FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN UNCLASSIFIED

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TRAVEL, EMIGRATION, AND REPATRIATION

11. INTERNAL AND FOREIGN TRAVEL AND EMIGRATION ARE BASICALLY UNENCUMBERED. PAROLED PEN PRISONERS ARE USUALLY RESTRICTED BY JUDGES TO THEIR MUNICIPALITY OF USUAL RESIDENCE FOR SIX TO NINE MONTHS; PERMISSION TO TRAVEL MUST BE RECEIVED FROM THE POLICE TO WHOM THE PAROLEES MUST REPORT PERIODICALLY. THERE ARE NO OTHER SIGNIFICANT RESTRICTIONS ON PAROLEES AND THERE ARE FEW,

IF ANY, INSTANCES WHEN PAROLE IS REVOKED AND THE PERSON SENT BACK TO PRISON.

42. A SMALL NUMBER OF OFFICIALS OF THE CIVILIAN REGIME OUSTED IN 1976 ARE NOT PERMITTED TO LEAVE THE COUNTRY. IN MAY, 1982 THE GOVERNMENT ENDED THE PROBLEM OF ASYLEES IN LOCAL EMBASSIES BY GRANTING "SAFE CONDUCT" FOR PASSAGE TO MEXICO TO THE LAST ASYLEE, RESIDENT IN THE MEXICAN EMBASSY SINCE 1976.

43. FORMER PEN PRISONERS WHO WERE GRANTED THE OPTION TO LEAVE THE COUNTRY GENERALLY ARE BARRED FROM RETURNING. IN A RARE EXCEPTION IN FEBRUARY, A FORMER PEN PRISONER AND EXPELLEE WAS PERMITTED TO RETURN. OTHER PEN APPLICANTS FOR SELF-EXILE UNDER THE RIGHT OF OPTION ARE CAREFULLY SCREENED, AND MOST REQUESTS TO EMIGRATE HAVE BEEN DENIED. ONLY ONE PEN PRISONER WAS ALLOWED THE OPTION TO GO TO THE UNITED STATES IN 1982.

44. ARGENTINA HAS A CONSIDERABLE REFUGEE POPULATION, DATING FROM AS FAR BACK AS THE POST-WORLD WAR II PERIOD. IT INCLUDES EUROPEAN REFUGEES AND THOUSANDS OF LATIN AMERICANS WHO FLED TO ARGENTINA OVER THE YEARS. MOST OF THEM ENJOY LEGAL STATUS. THE REFUGEE POPULATION WAS UNCLASSIFIED

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SLIGHTLY AUGMENTED IN THE LATE 1970'S BY THE ADMISSION OF SEVERAL HUNDRED FAMILIES OF SOUTHEAST ASIA REFUGEES. THREE HUNDRED FOREIGNERS WERE NATIONALIZED AS ARGENTINE CITIZENS IN 1982.

45. E. FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS

ARGENTINA HAS BEEN RULED SINCE 1976 BY A JUNTA MADE UP OF THE COMMANDERS-IN-CHIEF OF THE ARMY, NAVY, AND AIR FORCE WHO SELECT A MILITARY OFFICER (USUALLY RETIRED) TO SERVE AS PRESIDENT OF THE NATION. THE JUNTA WAS DISBANDED FOR A PERIOD AFTER THE FALKLANDS/MALVINAS WAR BUT HAS BEEN RECONSTITUTED.

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46. THE BIGNONE GOVERNMENT IS PUBLICLY COMMITTED TO HOLDING ELECTIONS IN LATE 1983 AND RESTORING CONSTITUTIONAL CIVILIAN GOVERNMENT BY MARCH 1984. A PRESIDENT, DEPUTIES AND SENATORS IN THE BICAMERAL LEGISLATURES ARE TO BE ELECTED, AS WELL AS PROVINCIAL

GOVERNORS, MAYORS, LEGISLATORS, AND MUNICIPAL COUNCILS. SPECIFIC DATES HAVE NOT YET BEEN ESTABLISHED FOR THE 1983 ELECTIONS BUT PRESIDENT BIGNONE HAS STATED THAT THE ELECTIONS WILL BE HELD NOT LATER THAN THE FIRST SUNDAY IN NOVEMBER. THE POLITICAL PARTIES LAW ISSUED IN AUGUST 1982 IS INTENDED TO FACILITATE DEMOCRATIC INTRA-PARTY ELECTION AND PROCEDURES. SOME PARTIES HAVE CRITICIZED THE ROLE OF COURT APPOINTED TEMPORARY OVERSEERS IN INTERNAL PARTY AFFAIRS.

47. NATIONAL, PROVINCIAL AND MUNICIPAL ADMINISTRATION HAS BEEN LARGELY MADE CIVILIAN, WITH THE APPOINTMENT OF POLITICIANS AND TECHNICIANS TO MANY POSTS ASSUMED BY MILITARY OFFICERS AFTER THE 1976 COUP. IN 1982, NATIONAL-ADMINISTRATIVE POSTS WERE IN THE HANDS OF CIVILIANS, WITH THE

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EXCEPTION OF THE INTERIOR PORTFOLIO.

48. WOMEN PARTICIPATE FREELY IN POLITICS IN ARGENTINA, ONE OF ONLY THREE WESTERN HEMISPHERE NATIONS TO HAVE HAD A FEMALE HEAD OF GOVERNMENT, MARA ESTELLA MARTINEZ DE PERON, 1974-1976. OUTSIDE OF BUENOS AIRES AND OTHER MAJOR URBAN CENTERS, WOMEN ARE CONFINED TO A ROLE DEFINED BY ARGENTINE TRADITION. IN URBAN AREAS WHERE EDUCATIONAL AND ECONOMIC OPPORTUNITIES ARE SUPERIOR AND SOCIETY MORE OPEN TO MODERN TRENDS, WOMEN COMMONLY PARTICIPATE IN MOST PROFESSIONS. MARRIED WOMEN LIVING IN ARGENTINA MUST HAVE THE PERMISSION OF THEIR HUSBANDS TO TRAVEL ABROAD WITH THEIR MINOR CHILDREN, IF THE HUSBAND IS NOT ACCOMPANYING THEM.

49.

50. GOVERNMENT ATTITUDES REGARDING INTERNATIONAL AND NON-GOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATIONS OF HUMAN RIGHTS
ARGENTINA COOPERATES WITH BOTH THE UNITED NATIONS ON SEPTEMBER REVIEWED ARGENTINE DEVELOPMENTS SINCE PUBLICATION OF THE REPORT COVERING ITS 1979 ON-SITE INSPECTION. THE REPORT HIGHLIGHTED ARGENTINA'S RENEWED COOPERATION WITH THE IAHRC SINCE JUNE 1982 AND EMPHASIZED THE LIFTING OF RESTRAINTS ON CIVILIAN POLITICAL ACTIVITY. WHILE IT CRITICIZED CONTINUATION OF THE STATE OF SIEGE, THE COMMISSION NOTED THE GOVERNMENT'S INFREQUENT RESORT TO STATE OF SIEGE POWERS AND STATED THAT THE IAHRC HAD RECEIVED NO REPORTS OF DISAPPEARANCES

OR PEN DETENTIONS IN 1982. EQUALLY POSITIVE, ACCORDING TO THE REPORT, WAS THE JUDICIAL SYSTEM'S MORE ASSERTIVE EFFORT TO SAFEGUARD INDIVIDUAL RIGHTS. THE COMMISSION UNCLASSIFIED

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WAS CRITICAL OF THE GOVERNMENT'S FAILURE TO PROVIDE INFORMATION ON PAST DISAPPEARANCES.

50. THE INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC) MAINTAINED ITS PRESENCE IN ARGENTINA, VISITING POLITICAL PRISONERS. LIKE MOST OTHER INSTITUTIONS IN ARGENTINA, HOWEVER, ICRC'S PRIORITIES WERE TEMPORARILY SHIFTED BY THE WAR. THE PROTECTION OF THE CIVILIAN POPULATION ON THE ISLANDS AND, AFTER ARGENTINA'S DEFEAT, OVERSEEING THE TRANSFER OF ARGENTINE PRISONERS BACK TO THE MAINLAND, WERE PRIMARILY ICRC PROGRAMS.

51. PRIVATE HUMAN RIGHTS ORGANIZATIONS NUMBER EIGHT (THEIR SPANISH NAMES OR ACRONYMS ARE CITED PARENTHETICALLY): THE GRANDMOTHERS OF PLAZA DE MAYO (AUUELAS); THE PERMANENT ASSEMBLY OF HUMAN RIGHTS (APDH); THE CENTER FOR LEGAL AND SOCIAL STUDIES (CELS); FAMILIES OF THE DISAPPEARED/DETAINED FOR POLITICAL REASONS (FAMILIARES); THE ARGENTINE LEAGUE FOR THE RIGHTS OF MAN (LIGA); THE MOTHERS OF THE PLAZA DE MAYO (MADRES); THE ECUMENICAL MOVEMENT FOR HUMAN RIGHTS (MOVIMIENTO ECUMENICO); AND THE PEACE AND JUSTICE SERVICE FOR LATIN AMERICA (PAZ Y JUSTICIA).

52. THE PERMANENT ASSEMBLY FOR HUMAN RIGHTS WAS CREATED BEFORE THE 1976 MILITARY COUP IN RESPONSE TO THE ABUSES THAT FLOWED FROM THE CLIMATE OF VIOLENCE THEN PREVAILING. WITH A MEMBERSHIP DRAWN FROM ALL SECTORS OF ARGENTINE SOCIETY, IT COLLECTS AND DISSEMINATES INFORMATION TO SENSITIZE PUBLIC OPINION TO THE HUMAN RIGHTS QUESTION. THE ASSEMBLY COMPILED IN 1979 THE BEST-DOCUMENTED LIST OF ALLEGED DISAPPEARANCES, PROVIDING DATA ON ABOUT 6,000 CASES. IT ALSO ADVISES AND ASSISTS FAMILIES OF VICTIMS OF REPRESSION.

53. THE GROUP MOST WIDELY KNOWN NATIONALLY AND INTERNATIONALLY IS THE MOTHERS OF THE PLAZA DE MAYO. THE UNCLASSIFIED

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MOTHERS DEVELOPED LOOSELY AT FIRST AS A GROUP OF PEOPLE WHO IN 1976 BEGAN GATHERING AT GOVERNMENT HOUSE IN THE

PLAZA DE MAYO TO IQUIRE INTO THE FATE OF THEIR FAMILY MEMBERS WHO WERE DETAINED AND/OR HAD DISAPPEARED. THEIR MEETINGS HAVE SINCE BEEN FORMALIZED IN SILENT VIGILS EVERY THURSDAY IN THE PLAZA.

54. THE CENTER FOR LEGAL AND SOCIAL STUDIES, FOUNDED IN 1978, IS THE NEWEST OF ARGENTINA'S HUMAN RIGHTS ORGANIZATIONS. AS BOTH A DATA-COLLECTING AND LEGAL ASSISTANCE AGENCY, IT PREPARES COURT ACTIONS IN CASES OF DETENTIONS AND DISAPPEARANCES, PROMOTES IMPROVEMENT IN CONDITIONS FOR POLITICAL PRISONERS, AND MAINTAINS ACTIVE CONTACT WITH FOREIGN HUMAN RIGHTS ORGANIZATIONS. THE CENTER, TOGETHER WITH THE MOTHERS, IS BELIEVED TO HAVE THE WIDEST CONNECTION WITH FOREIGN HUMAN RIGHTS INSTITUTIONS, SUCH AS THE UN AND OAS HUMAN RIGHTS COMMISSIONS.

55. HUMAN RIGHTS ORGANIZATIONS OPERATED WITH INCREASED EFFECTIVENESS IN 1982 DESPITE MINOR INCIDENTS OF HARASSMENT AND SURVEILLANCE. WITH THE GENERAL TREND TOWARD POLITICAL LIBERALIZATION, A NUMBER OF PROMINENT ORGANIZATIONS AND INDIVIDUALS BEGAN TO PURSUE THEMES FORMERLY ESPOUSED ALMOST EXCLUSIVELY BY HUMAN RIGHTS GROUPS. POLITICAL PARTIES, LABOR UNIONS, PROFESSIONAL ORGANIZATIONS, AND THE HIERARCHY OF THE CATHOLIC CHURCH HAVE ADOPTED SOME OF THE OBJECTIVES PIONEERED SINCE THE MID-1970'S BY THE MOTHERS OF THE PLAZA DE MAYO, THE PERMANENT ASSEMBLY FOR HUMAN RIGHTS, AND SIMILAR ORGANIZATIONS. IN THE MEANTIME, HUMAN RIGHTS GROUPS HAVE STEPPED UP THEIR ACTIVITIES AND EXPANDED THE SCOPE OF

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THEIR EFFORTS. THE MOTHERS' WEEKLY VIGILS IN THE PLAZA DE MAYO ARE BEING BROADENED INTO MARCHES TO OTHER CENTERS OF BUENOS AIRES, GIVING THEM AN EXPANDED PUBLIC PROFILE. HUMAN RIGHTS GROUPS HAVE ALSO TAKEN AN INCREASINGLY ACTIVE ROLE AT POLITICAL CONVENTIONS AND MEETINGS. ASSOCIATED ORGANIZATIONS ARE INCREASING THEIR ACTIVITIES IN THE CAPITAL AND THE PROVINCES, PROVIDING LEGAL AND SOCIAL ASSISTANCE SERVICES WITHOUT OFFICIAL HINDRANCE.

56. SOME OFFICERS AND MEMBERS OF THE MOTHERS OF THE PLAZA DE MAYO HAD DENIGRATING POSTERS HUNG ON THEIR HOMES WHILE THE PERMANENT ASSEMBLY FOR HUMAN RIGHTS DISCOVERED HIDDEN LISTENING DEVICES IN ITS HEADQUARTERS. OTHER HUMAN RIGHTS ACTIVISTS REPORTED RECEIVING ANONYMOUS THREATENING TELEPHONE CALLS.

57. AMNESTY INTERNATIONAL'S 1982 REPORT, COVERING 1981, STATED THAT THAT ORGANIZATION'S MAIN CONCERNS IN ARGENTINA "CONTINUED TO BE THE UNRESOLVED QUESTION OF THE 'DISAPPEARED' PRISONERS, AND ARBITRARY DETENTION WITHOUT TRIAL." THE FREEDOM HOUSE REPORT FOR 1982 CLASSIFIED ARGENTINA AS "NOT FREE," THE WASHINGTON OFFICE ON LATIN AMERICA'S 1982 REPORT ALSO CITED CONTINUING HUMAN RIGHTS PROBLEMS.

58.

4. ECONOMIC, SOCIAL, AND CULTURAL SITUATION

NOTWITHSTANDING A CURRENT HIGH RATE OF INFLATION, A YEAR-AND-A-HALF RECESSION, AND HIGH RATES OF UNEMPLOYMENT AND UNDER-EMPLOYMENT COMBINED (15 PERCENT OF A LABOR FORCE OF 11 MILLION), ARGENTINA'S POPULATION OF 27.7 MILLION ENJOYS A HIGH STANDARD OF LIVING FOR A DEVELOPING COUNTRY. PER CAPITA INCOME IS \$2,395 (1980); THE INFANT MORTALITY RATE, 40.8 PER 1,000 LIVE BIRTHS, (1981); AND UNCLASSIFIED

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POPULATION ACCESS TO SAFE WATER, 66 PERCENT (1975). THERE IS NO DISCRIMINATION IN THE AVAILABILITY OF FOOD, SHELTER, HEALTH, OR EDUCATION ON THE BASIS OF SEX, RELIGION, RACE, OR ETHNIC BACKGROUND.

59. ALTHOUGH THERE WAS NO UNEMPLOYMENT INSURANCE AT THE END OF 1982, THE SUBJECT WAS BEING DISCUSSED BY THE GOVERNMENT. LAWS GOVERN HOW EMPLOYEES MAY BE DISMISSED. SEVERANCE PAY IS HIGH AND EMPLOYERS TEND TO RETAIN WORKERS USING TEMPORARY LAYOFFS WHERE POSSIBLE TO AVOID DISMISSALS. REAL WAGES DROPPED SUBSTANTIALLY DURING THE FIRST HALF OF 1982 DUE PARTLY TO A FREEZE IN PUBLIC SECTOR WAGES AND TO THE LENGTHY RECESSION. IN AUGUST-SEPTEMBER 1982, ACROSS-THE-BOARD WAGE INCREASES TENDED TO RAISE REAL WAGES. THERE ARE PROVISIONS FOR A MINIMUM WAGE, FAMILY ALLOWANCES, AND OTHER FRINGE BENEFITS; THESE HAVE ALSO RECENTLY BEEN INCREASED.

60. IN THIS LARGELY MIDDLE CLASS SOCIETY, 80 PERCENT OF THE POPULATION LIVES IN URBAN AREAS. MORE THAN 65 PERCENT OF THE POPULATION OWN THEIR HOMES. THERE IS AMPLE PROTECTION FOR PRIVATE PROPERTY OWNERSHIP. ALTHOUGH THERE MAY BE SOME MALNUTRITION DUE TO THE PROLONGED RECESSION AND UNEMPLOYMENT, THE AVERAGE ARGENTINE ENJOYS A HEALTHY, HIGH PROTEIN DIET (126

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PERCENT OF DAILY CALORIC REQUIREMENTS). THE ADULT LITERACY RATE IS 94 PERCENT, AND PRIMARY AND SECONDARY SCHOOLING IS FREE AND WIDELY AVAILABLE. IN THE PROVINCE OF BUENOS AIRES WHERE APPROXIMATELY ONE-THIRD OF THE NATION'S POPULATION RESIDES, 93.6 PERCENT OF THE 12-YEAR OLD POPULATION WAS ATTENDING SCHOOL AT THE TIME OF THE DAM UNQUOTE SHULTZ

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